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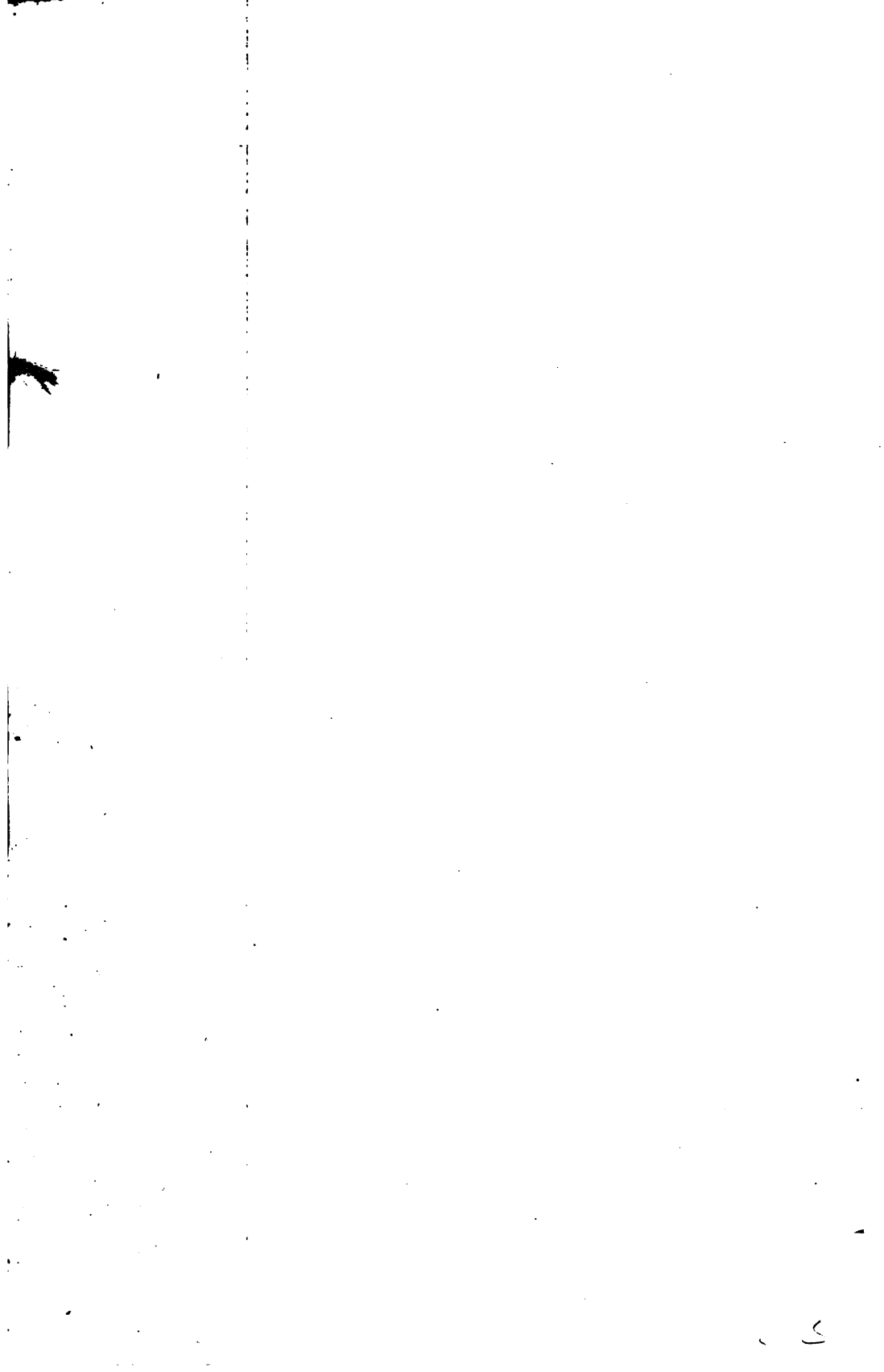
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(  
LAWS  
PASSED AT THE  
TENTH SESSION  
OF THE  
GENERAL ASSEMBLY

OF THE  
STATE OF COLORADO,  
CONVENED AT DENVER,  
ON THE  
SECOND DAY OF JANUARY, A. D. 1895.

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*PUBLISHED BY AUTHORITY.*

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# CERTIFICATE.

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STATE OF COLORADO, }  
OFFICE OF THE SECRETARY OF STATE, } ss.

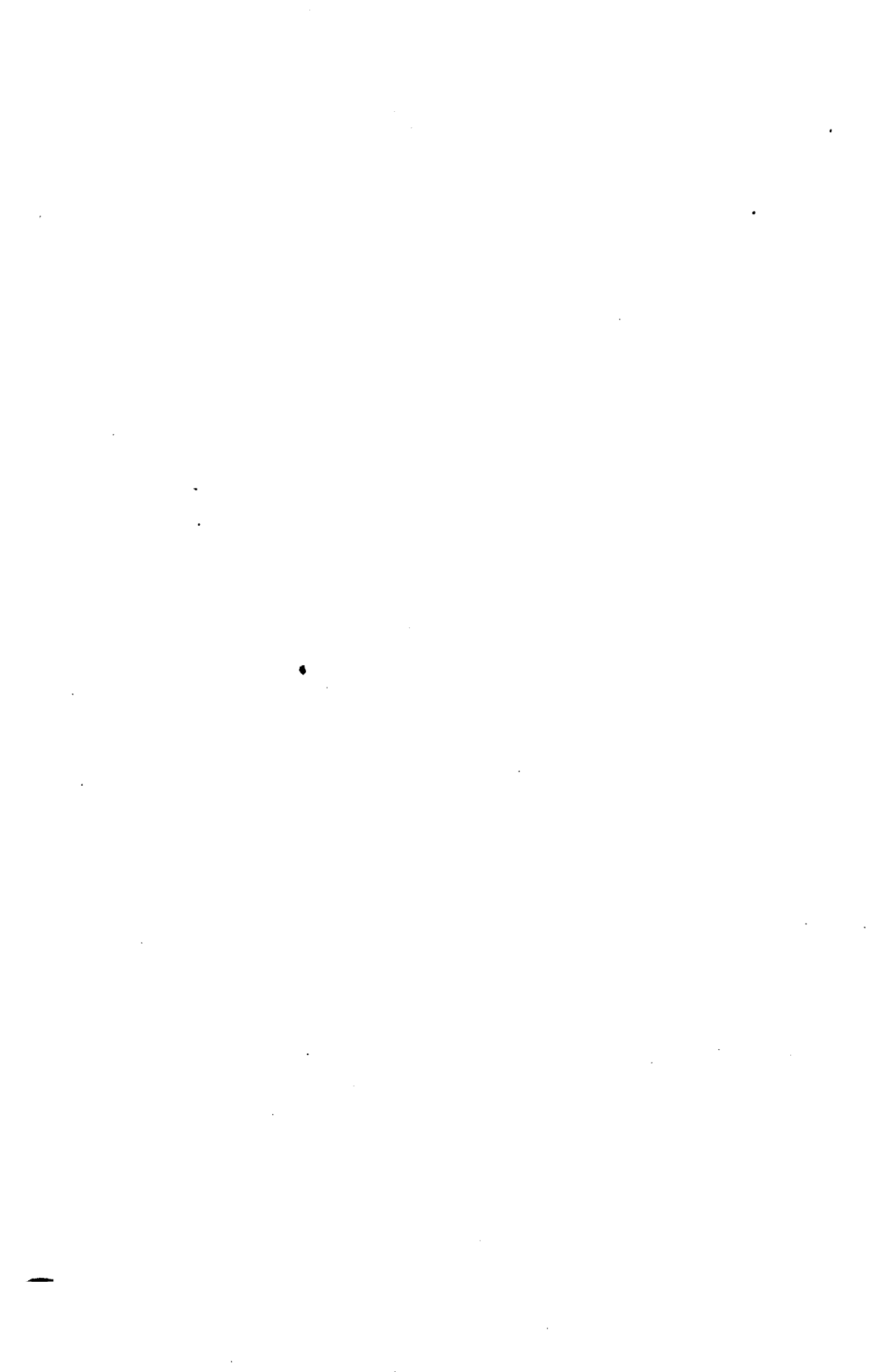
I, ALBERT B. MCGAFFEY, Secretary of State of the State of Colorado, do hereby certify that, by virtue of the authority vested in me by law, I have prepared for publication, and caused to be printed, a copy of all the laws passed by the Tenth General Assembly of the State of Colorado; that I have carefully compared the said printed laws with the original manuscripts thereof now on file in my office, and that the following are true, full and correct copies thereof.

*In Testimony Whereof*, I have hereunto set my  
[SEAL.] hand and affixed the Great Seal of the  
State of Colorado.

Done at Denver, this fifteenth day of May, A. D. 1895.



*Secretary of State.*





**STATE OFFICERS**  
**AND**  
**Members of the Tenth General Assembly.**

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**EXECUTIVE DEPARTMENT.**

---

Albert W. McIntire .....	Governor .....	Denver
Lester G. Brewer .....	Private Secretary .....	Denver
Jared L. Brush .....	Lieutenant-Governor .....	Greeley
Albert B. McGaffey .....	Secretary of State .....	Denver
Chauncey C. Robinson .....	Deputy Secretary of State .....	Denver
Harry E. Mulnix .....	Treasurer of State .....	Denver
George W. Kephart .....	Deputy Treasurer of State .....	Denver
Clifford C. Parks .....	Auditor of State .....	Denver
Hartley C. Eaton .....	Deputy Auditor of State .....	Denver
Byron L. Carr .....	Attorney-General .....	Denver
Frank P. Secor .....	Assistant Attorney-General .....	Denver
Angenette J. Peavey .....	Supt. of Public Instruction .....	Denver
Norman H. Meldrum .....	Register Land Board .....	Denver
Frank H. Wright .....	Deputy Register .....	Denver

---

**JUDICIAL DEPARTMENT.**

---

**SUPREME COURT.**

---

Charles D. Hayt .....	Chief Justice .....	Denver
Luther M. Goddard .....	Associate Justice .....	Denver
John Campbell .....	Associate Justice .....	Denver
James A. Miller .....	Clerk .....	Denver
Edward M. Cooke .....	Deputy Clerk .....	Denver
Felix A. Richardson .....	Bailiff .....	Denver

---

**COURT OF APPEALS.**

---

Gilbert B. Reed .....	Presiding Judge .....	Denver
Charles I. Thomson .....	Judge .....	Denver
Julius B. Bissell .....	Judge .....	Denver
James Perchard .....	Clerk .....	Denver
John A. Murray .....	Bailiff .....	Denver

## DISTRICT JUDGES.

Allison H. DeFrance	First District	Golden
George W. Allen	Second District	Denver
Owen E. LeFevre		
Calvin P. Butler		
Peter L. Palmer		
Frank T. Johnson		
Jesse G. Northcutt	Third District	Trinidad
Ira Harris	Fourth District	Colorado Springs
Horace G. Lunt		
Frank W. Owers	Fifth District	Leadville
James L. Russell	Sixth District	Durango
William H. Gabbert	Seventh District	Telluride
Jay H. Boughton	Eighth District	Fort Collins
Thomas A. Rucker	Ninth District	Aspen
John H. Voorhees	Tenth District	Pueblo
N. Walter Dixon		
Morton S. Bailey	Eleventh District	Fairplay
Charles C. Holbrook	Twelfth District	Alamosa
Edward E. Armour	Thirteenth District	Sterling

## DISTRICT ATTORNEYS.

Edward O. Mason	First District	Golden
Greeley W. Whitford	Second District	Denver
Robert C. Ross	Third District	Trinidad
Henry M. Blackmer	Fourth District	Colorado Springs
Lewis R. Thomas	Fifth District	Leadville
Thomas J. Tarsney	Sixth District	Durango
Lyman I. Henry	Seventh District	Telluride
Adam C. Patton	Eighth District	Fort Collins
William B. Wiley	Ninth District	Aspen
George W. Collins	Tenth District	Pueblo
James T. Locke	Eleventh District	Fairplay
Theodore B. McDonald	Twelfth District	Alamosa
Granville Pendleton	Thirteenth District	Sterling

## OFFICERS APPOINTED.

Horace A. Sumner	State Engineer	Denver
Fillmore Cogswell	Deputy State Engineer	Denver
Harry A. Lee	Commissioner Bureau of Mines	Denver
William H. Klett	Deputy Labor Commissioner	Denver
George T. Williams	Measurer of Printing	Denver
Richard Kett	Inspector of Steam Boilers	Denver
Cassius M. Moses	Adjutant General	Denver
Benj. F. Klee	Assistant Adjutant General	Denver
Harry T. Davis	Inspector General	Denver
Clayton Parkhill	Surgeon General	Denver
Lester G. Brewer	Military Secretary	Denver
Annie D. Clemmer	State Dairy Commissioner	Denver
Gordon B. Land	Fish Commissioner	Denver
David Griffiths	Coal Mine Inspector	Denver
Thomas A. Rickard	State Geologist	Denver
Angenette J. Peavey	State Librarian ( <i>ex officio</i> )	Denver
Helen M. Wixson	Assistant State Librarian	Denver

## OFFICERS OF STATE INSTITUTIONS.

### STATE UNIVERSITY AT BOULDER.

#### REGENTS.

Charles R. Dudley.....	Denver
Sidney A. Giffin .....	Boulder
W. H. Cochran.....	Del Norte
Oscar J. Pfeiffer .....	Denver
David M. Richards.....	Denver
W. E. Anderson.....	Rocky Ford

#### OFFICERS OF THE BOARD.

James H. Baker.....	President.....	Boulder
Sidney A. Giffin.....	Secretary.....	Boulder
Charles G. Buckingham.....	Treasurer.....	Boulder

### THE STATE BOARD OF AGRICULTURE.

Albert W. McIntire, Governor } *Ex officio members of Board.*  
 Alston Ellis, President..... }

Jno. J. Ryan.....	President.....	Fort Collins
A. L. Emigh.....		Fort Collins
J. E. DuBois.....		Fort Collins
Joseph S. McClelland.....		Fort Collins
James L. Chatfield.....		Gypsum
A. Lindsley Kellogg.....		Rocky Ford
Alva Adams.....		Pueblo
Eliza F. Routt.....		Denver
Daniel W. Working.....	Secretary.....	Fort Collins
G. A. Webb.....	Treasurer.....	Fort Collins

### BUREAU OF LABOR STATISTICS.

Albert B. McGaffey, Secretary of State.....	Commissioner Ex Officio
William H. Klett.....	Deputy Commissioner

### STATE SCHOOL OF MINES, GOLDEN.

#### BOARD OF TRUSTEES.

Fred'k Steinhauer.....	Denver.....	Arapahoe County
Jas. T. Smith.....	Denver.....	Arapahoe County
A. A. Blow.....	Leadville.....	Lake County
John P. Kelly.....	Golden.....	Jefferson County
Henry Paul.....	Denver.....	Arapahoe County

#### OFFICERS OF THE BOARD.

Fred'k Steinhauer.....	President.....
Jas. T. Smith.....	Secretary.....
J. W. Rubey.....	Treasurer.....

## OFFICERS.

## BUREAU OF MINES.

Harry A. Lee.....Commissioner.....Denver

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## COLORADO SCHOOL FOR THE DEAF AND THE BLIND.

## COLORADO SPRINGS.

Joseph A. Davis.....President.....Westcliffe  
 Joseph F. Humphrey.....Secretary.....Colorado Springs  
 E. L. C. Dwinell.....Trustee.....Colorado Springs  
 W. K. Sinton, M. D.....Trustee.....Colorado Springs  
 Mary S. McDonald.....Trustee.....Pueblo  
 D. C. Dudley.....Superintendent.....Colorado Springs

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## STATE PENITENTIARY.

## CANON CITY.

John Cleghorn.....Warden.....Canon City  
 L. J. Hall.....Chaplain.....Canon City  
 J. W. Dawson.....Physician.....Canon City

## COMMISSIONERS.

Chas. H. Boettcher.....President.....Denver  
 I. D. Chamberlain.....Pueblo  
 William H. Meyer.....Fort Garland

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## ASYLUM FOR THE INSANE.

## PUEBLO.

P. R. Thombs.....Superintendent.....Pueblo  
 T. J. Burrows.....Supervisor.....Pueblo

## COMMISSIONERS.

J. T. Eskridge, M. D.....President.....Denver  
 L. W. Walker.....Secretary.....Pueblo  
 Jose B. Romero.....Conejos

---

## STATE INDUSTRIAL SCHOOL.

## GOLDEN.

G. A. Garrard.....Superintendent.....Golden

## BOARD OF CONTROL.

B. F. Williams.....President.....Denver  
 Emma G. Curtis.....Secretary.....Canon City  
 C. P. Hoyt.....Golden

## OFFICERS.

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### STATE BOARD OF MEDICAL EXAMINERS.

Charles N. Hart, M. D.....	President.....	Denver
Tandy A. Hughes, M. D....	Treasurer.....	Denver
B. J. Perry, M. D.....		Aspen
R. N. Mayfield, M. D.....		Cripple Creek
T. D. Baird, M. D.....		Walsenburg
J. Wylie Anderson, M. D.....		Denver
Luke McLean, M. D.....		Delta
T. J. Forhan, M. D.....		Rouse

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### STATE BOARD OF HEALTH.

Arnold Stedman, M. D.....	President.....	Denver
Jas. A. Hart, M. D.....	Vice-President.....	Colorado Springs
Henry Sewall, M. D.....	Secretary.....	Denver
H. C. Crouch, M. D.....	Treasurer.....	Denver
B. F. Wooding, M. D.....		Trinidad
Wm. P. Munn, M. D.....		Denver
Hubert Work, M. D.....		Pueblo
Edmund J. A. Rogers, M. D.....		Denver
H. R. Bull, M. D.....		Grand Junction
R. W. Corwin, M. D.....		Pueblo

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### STATE BOARD OF PHARMACY.

A. W. Scott.....	President.....	Fort Collins
Charles H. Wells.....	Secretary.....	Pueblo
Thomas D. Long.....	Treasurer.....	Denver

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### STATE BOARD OF HORTICULTURE.

W. S. Coburn.....	President.....	Hotchkiss
Martha A. Shute.....	Secretary.....	Denver
C. W. Steele.....		Grand Junction
David Brothers.....		Denver
W. B. Osborn.....		Loveland
J. C. Kain.....		Rocky Ford

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### DEPARTMENT OF INSURANCE.

Clifford C. Parks.....	Superintendent, ( <i>ex officio</i> ).....	Denver
Nimrod S. Walpole.....	Deputy Superintendent.....	Denver
Robert M. Morison.....	Chief Clerk.....	Denver

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### BOARD OF CAPITOL MANAGERS.

Albert W. McIntire, Governor, Chairman.....		Denver
Otto Mears.....		Denver
Benj. F. Crowell.....		Colorado Springs
Charles J. Hughes, Jr.....		Denver
John L. Routt.....		Denver
Herman Leuders.....	Secretary.....	Denver

## OFFICERS.

## VETERINARY BOARD.

Bradford H. DuBois.....	President.....	Denver
Edwin J. Temple.....	.....	Boulder
Charles B. Seldomridge.....	.....	Colorado Springs
Charles Gresswell.....	Secretary.....	Denver

## STATE VETERINARY SURGEON.

Charles Gresswell.....	.....	Denver
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## STATE BOARD OF INSPECTION.

## COMMISSIONERS.

John K. Mullen.....	President.....	Denver
William H. Adams.....	Secretary-Treasurer.....	Alamosa
George Peasley.....	.....	Greeley
Conrad Schaefer.....	.....	Corona
James C. Johnston.....	.....	La Junta
Daniel L. Taylor.....	.....	Trinidad
R. W. Hooker.....	.....	Undercliff
Benj. Price.....	.....	Meeker
George Yule.....	.....	New Castle

## SOLDIERS' AND SAILORS' HOME.

## MONTE VISTA.

Warner A. Root.....	President.....	Denver
W. P. Harbottle.....	Vice-President and Secretary.....	Salida
A. M. Sawyer.....	Treasurer.....	Boulder
J. D. Lewis.....	.....	Monte Vista
Geo. H. Adams.....	.....	Moffat
T. C. Graden.....	.....	Durango

## STATE NORMAL SCHOOL.

## GREELEY.

James W. McCreery.....	President.....	Greeley
A. J. Park.....	Secretary.....	Greeley
Charles H. Wheeler.....	Treasurer.....	Greeley

## TRUSTEES.

James W. McCreery.....	.....	Greeley
Angenette J. Peavey ( <i>ex officio</i> ).....	.....	Denver
Nathan B. Coy.....	.....	Denver
H. H. Grafton.....	.....	Manitou
Thalia A. Rhoads.....	.....	Denver
Thomas C. Clayton.....	.....	Grand Junction
R. W. Corwin.....	.....	Pueblo

## OFFICERS.

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### STATE BOARD DENTAL EXAMINERS.

William E. Griswold.....	President .....	Denver
J. H. Parsons .....	Treasurer .....	Boulder
Dennis Murray.....	Secretary .....	Greeley
Reuben B. Weiser.....	.....	Denver
M. H. Smith .....	.....	Colorado Springs

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### BOARD OF CHARITIES AND CORRECTIONS.

William F. Slocum, Jr. ....	President .....	Colorado Springs
J. Warner Mills .....	Vice-President .....	Denver
Albert W. McIntire ( <i>ex officio</i> ).....	.....	Denver
Jacob S. Appel .....	.....	Denver
Byron A. Wheeler, M. D. ....	.....	Denver
Ida Noyes Beaver, M. D. ....	.....	Denver
Frances Belford .....	.....	Denver
John H. Gabriel .....	Secretary.....	Denver

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### STATE BOARD OF PARDONS.

Albert W. McIntire ( <i>ex officio</i> )	President .....	Denver
Ida Noyes Beaver, M. D. ....	.....	Denver
Robert W. Bonyngé .....	.....	Denver
William F. Slocum, Jr. ....	.....	Colorado Springs
Eugene A. Wheeler, M. D. ....	.....	Denver
John H. Gabriel .....	Secretary .....	Denver

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### STATE BOARD OF EDUCATION.

Angenette J. Peavey, Supt. of Public Instruction..	President...	Denver
Albert B. McGaffey, Secretary of State.....	.....	Denver
Byron L. Carr, Attorney-General.....	.....	Denver

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### BOARD OF LAND COMMISSIONERS.

Albert W. McIntire, Governor, President.....	.....	Denver
Albert B. McGaffey, Secretary of State .....	.....	Denver
Byron L. Carr, Attorney-General.....	.....	Denver
Angenette J. Peavey, Superintendent of Public Instruction....	.....	Denver
Norman H. Meldrum, Register .....	.....	Denver

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### STATE BOARD OF EQUALIZATION.

Albert W. McIntire, Governor, President.....	.....	Denver
Albert B. McGaffey, Secretary of State.....	.....	Denver
Harry E. Mulnix, State Treasurer.....	.....	Denver
Byron L. Carr, Attorney-General.....	.....	Denver
Clifford C. Parks, State Auditor .....	.....	Denver
Nat Nathan, Secretary.....	.....	Denver

## COLORADO STATE REFORMATORY.

## BUENA VISTA.

John A. McDonald.....Warden.....Buena Vista

## COMMISSIONERS.

Chas. H. Boettcher.....President.....Denver  
 I. D. Chamberlain.....Pueblo  
 William H. Meyer.....Fort Garland

STATE HOME FOR DEPENDENT AND NEGLECTED  
CHILDREN.

## BOARD OF CONTROL.

Louisa Arkins.....Denver  
 Anna Marshall Cochran.....Denver  
 Luna A. Thatcher.....Pueblo  
 Dora E. Reynolds.....Denver  
 Caldwell Yeaman.....Denver

## STATE HOME AND INDUSTRIAL SCHOOL FOR GIRLS.

## DENVER.

## BOARD OF CONTROL.

O. S. Storrs.....Denver  
 Frances S. Klock.....Denver  
 Alta B. Mayfield.....Denver  
 Alice M. Ruble.....Denver  
 Mary Cody Bradford.....Denver

## FOUNDLINGS' AND ORPHANS' HOME.

Herman Strauss.....President.....Leadville  
 Robert H. Latta.....Secretary.....Denver  
 Thomas H. Hawkins.....Treasurer.....Denver

## COLORADO HISTORICAL SOCIETY.

Frederick J. Bancroft.....President.....Denver  
 William N. Byers.....Vice-President.....Denver  
 William D. Todd.....Treasurer.....Denver  
 Charles R. Dudley.....Secretary.....Denver

COMMISSIONERS FOR THE PROMOTION OF UNIFORMITY  
OF LEGISLATION IN THE UNITED STATES.

Willard Teller.....Denver  
 C. M. Campbell.....Denver  
 A. M. Stevenson.....Denver



## TENTH GENERAL ASSEMBLY.

## THE SENATE.

## OFFICERS.

NAME	Age	Postoffice Address	Office	Politics
Jared I. Brush .....	57	Greeley .....	Lt.-Gov. & President	Republican
Fred Lockwood .....	43	Boulder .....	President pro tem	Populist
A. B. Gray .....	28	Florence .....	Secretary .....	Populist
J. A. Dean .....	50	Denver .....	Asst. Secretary .....	Democrat
James E. Cummings .....	34	Denver .....	Sergeant at Arms .....	Democrat
H. M. Ward .....	59	Manitou .....	Asst. Sgt. at Arms .....	Democrat
Minerva Roberts .....	23	Denver .....	Docket Clerk .....	Populist
Eva G. Hibbert .....	28	Denver .....	Reading Clerk .....	Populist
F. P. Johnson .....	32	Denver .....	Printing Clerk .....	Populist
John W. Ganley .....	44	Denver .....	Enrolling Clerk .....	Silver Dem.
Otis G. Smith .....	31	Alamosa .....	Engrossing Clerk .....	Democrat
John Williams .....	28	Rockvale .....	Bill Clerk .....	Populist
O. W. McCaslin .....	34	St'boat Sps. ....	Doorkeeper .....	Populist
O. D. Espinoza .....	34	Conejos .....	Asst. Doorkeeper .....	Democrat
Fidel Garcia .....	18	Conejos .....	Messenger .....	Democrat
Francisco Rivera .....	33	El Moro .....	Messenger .....	Democrat

## MEMBERS.

NAME	Age	Postoffice Address	County	District	Term Expires	Politics
Adams, W. H. ....	33	Alamosa .....	Conejos .....	24	1896	Dem
Armstrong, Hamilton ...	37	Denver .....	Arapahoe ...	1	1896	Pop.
Barela, Casimiro .....	48	Trinidad .....	Las Animas .	4	1896	Dem Pop.
Blakey, Austin .....	46	Leadville .....	Lake .....	6	1898	Pop.
Bolsinger, Henry C .....	37	Central City .....	Gilpin .....	26	1898	Pop.
Boyd, David .....	61	Greeley .....	Weld .....	7	1896	Pop.
Brown, H. R. ....	58	Arvada .....	Jefferson ...	8	1896	Rep.

MEMBERS—*Concluded.*

NAME	Age	Postoffice Address	County	District	Term Expires	Politics
Carney, Francis.....	48	Ouray .....	Ouray .....	18	1898	Pop.
Crowe, Patrick.....	39	Leadville.....	Lake .....	28	1898	Pop.
Campbell, J. O.....	39	Rico .....	Dolores .....	17	1898	Pop.
Drake, J. F.....	44	Pueblo .....	Pueblo .....	2	1896	Rep.
Evans, James C.....	49	Fort Collins.....	Larimer .....	10	1898	Rep.
Felker, Wm. B.....	57	Denver .....	Arapahoe .....	1	1896	Rep.
Fulton, W. M.....	38	Pitkin .....	Gunnison .....	16	1898	Pop.
Gordon, John R.....	42	Pueblo .....	Pueblo .....	27	1898	Rep.
Graham, Chas. C.....	54	Steamboat Sp'gs	Routt.....	13	1896	Pop.
Hartzell, Charles .....	32	Denver .....	Arapahoe .....	1	1896	Rep.
Johnson, James G .....	30	Florence .....	Fremont .....	9	1896	Pop.
Kennedy, A. R.....	56	Cripple Creek....	El Paso .....	3	1898	Rep.
Leddy, M. A .....	51	Manitou .....	El Paso .....	3	1896	Dem
Locke, Chas. E.....	49	Denver .....	Arapahoe .....	1	1898	Rep.
Lockwood, Fred L.....	43	Boulder .....	Boulder .....	5	1896	Pop.
McNeely, J. T .....	53	Silver Cliff .....	Custer.....	14	1898	Rep.
Merritt, Elmer W.....	33	Denver .....	Arapahoe .....	22	1896	Rep.
Mills, David A .....	44	Red Cliff .....	Eagle.....	21	1896	Pop.
Moody, Frank E.....	36	Monte Vista ....	Rio Grande ..	15	1898	Pop.
Morton, Jesse G.....	42	Pueblo .....	Pueblo .....	2	1898	Rep.
Newman, Charles.....	43	Durango .....	La Plata ....	19	1896	Rep.
Painter, J. H.....	40	Holyoke.....	Phillips .....	25	1898	Rep.
Pease, George E* .....	61	Fairplay .....	Park .....	20	1898	Pop.
Reuter, Oscar.....	47	Denver .....	Arapahoe .....	1	1898	Rep.
Sours, Paul J.....	44	Denver .....	Arapahoe .....	1	1898	Rep.
Swink, George W.....	58	Rocky Ford.....	Otero.....	23	1896	Rep.
Turner, Robert*.....	54	Idaho Springs....	Clear Creek ..	12	1896	Pop.
Wheeler, B. Clark.....	45	Aspen .....	Pitkin.....	11	1896	Pop.

Hold over Senators, 17.

\* Deceased.

Republicans, 9.

Populists, 8.

## OFFICERS.

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## HOUSE OF REPRESENTATIVES.

## OFFICERS.

NAME	Age	Postoffice Address	Office	Politics
A. I. Humphrey.....	34	Colo. Spgs.	Speaker.....	...Republican
John R. Wallingford.....	44	Glenwood..	Chief Clerk .....	...Republican
Emil Boedicker.....	67	Loveland..	Asst. Chief Clerk....	...Republican
John B. Blackburn.....	51	Pueblo ....	Reading Clerk .....	...Republican
David McD. Graham.....	35	Denver ....	Docket Clerk.....	...Republican
Frank P. Sheafor.....	39	Denver ....	Sergeant at Arms...	...Republican
George S. Saylor.....	39	Denver ....	Asst. Sgt. at Arms..	...Republican
John A. Campbell.....	63	St'boat Sp's	Stat. and Bill Clerk..	...Republican
Nelson Pretz.....	48	Denver ....	Doorkeeper .....	...Republican
W. J. Thompson ...	64	Castle Rock	Asst. Doorkeeper....	...Republican

## MEMBERS.

NAME	Age	Postoffice Address	Representing Counties	Politics
Allee, Jas. F.....	46	Pueblo ....	Pueblo .....	...Republican
Aufenger, L.....	52	Denver ....	Arapahoe .....	...Republican
Ashbaugh, Geo. J.....	37	Cortez.....	{ Dolores and Mon- tezuma .....	...Populist
Bales, Wm. S.....	31	Denver ....	Arapahoe .....	...Republican
Blake, Frank G.....	40	La Jara.....	{ Conejos and Archu- leta .....	...Republican
Brown, Julius D.....	43	Pueblo ....	Pueblo .....	...Republican
Campbell, Chas. W.....	38	Denver ....	Arapahoe .....	...Republican
Carnahan, Jas. S.....	35	Julesburg ..	{ Logan, Sedgwick and Phillips.....	...Republican
Clarke, Jas. H.....	35	Denver ....	Arapahoe .....	...Republican
Collais, Chas. G.....	37	Colo. Spgs.	El Paso .....	...Republican
Colt, W. A.....	38	Las Animas	Las Animas & Bent.	...Republican
Cressingham, Clara.....	32	Denver ....	Arapahoe .....	...Republican
Crow, David.....	45	Will'msb'g	Fremont .....	...Republican
De Bord, Albert.....	37	Westcliff ..	Custer.....	...Republican
Fribourg, Amedee L.....	41	Denver ....	Arapahoe .....	...Republican
Funderburgh, J. C.....	53	Stewart ...	{ Kiowa, Baca and Prowers.....	...Republican
Gallagher, Jos.....	45	Silv'r Pl'me	Clear Creek.....	...Populist

## MEMBERS—Continued.

NAME	Age	Postoffice Address	Representing Counties	Politics
Garcia, C. ....	33	Conejos....	Conejos.....	...Republican
Greenman, Elbert .....	32	Jamestown	Boulder .....	.....Populist
Harper, Theo. S. ....	42	River Bend	Elbert and Lincoln..	...Republican
Hart, John B. ....	52	Eckert ....	Montrose and Delta.	.....Populist
Hollenbeck, Geo. M. ....	45	Salida ....	Chaffee.....	.....Populist
Holly, Carrie C. ....	38	Pueblo	Pueblo .....	...Republican
Humphrey, A. L. ....	34	Colo. Sp'gs.	El Paso.....	...Republican
Hurst, Jas. L. ....	40	Carnero ...	Saguache.....	.....Populist
Jenks, Geo. W. ....	31	Fulford ...	Eagle.....	.....Populist
Johnson, B. F. ....	60	Greeley ...	Weld .....	...Republican
Kearney, Nathaniel.....	61	Pueblo ....	Pueblo .....	...Republican
Klock, Frances S. ....	51	Denver ....	Arapahoe .....	...Republican
Lasell, Samuel M. ....	43	Como.....	Park .....	.....Populist
Light, Fred .....	38	Watson....	Pitkin .....	.....Populist
Lowell, Jno. W. ....	58	Lily .....	Routt, Rio Blanco ...	...Republican
Macomber, W. H. ....	56	Denver ....	Arapahoe.....	...Republican
Malchus, Casper .....	41	Silverton ...	Hinsdale, San Juan.	.....Populist
McWilliams, James.....	34	Telluride..	San Miguel.....	.....Populist
Miller, Robert D. ....	52	Loveland..	Larimer.....	...Republican
Minor, Henry M. ....	48	Longmont	Boulder.....	.....Populist
Mitchell, Jno. R. ....	38	Bl'ck Hawk	Gilpin .....	...Republican
Morrell, Winters.....	40	Leadville..	Lake .....	.....Populist
Morris, Jas. M. ....	44	Golden ....	Jefferson .....	...Republican
Murfitt, Jno. H. ....	36	Carbondale	Garfield .....	.....Populist
O'Mahoney, T. F. ....	42	Leadville..	Lake .....	.....Democrat
Page, M. V. B. ....	54	Fruita ....	Mesa .....	.....Populist
Patchen, W. L. ....	29	Cheyenne Wells	Kit Carson, Cheyenne	...Republican
Peck, A. F. ....	38	Idalia ....	Arapahoe .....	...Republican
Purinton, R. H. ....	54	Trinidad ..	Las Animas.....	...Republican
Randall, W. N. ....	31	La Junta ..	Otero.....	...Republican
Ranson, George.....	37	Lafayette..	Boulder .....	.....Populist
Rockefeller, J. W. ....	42	Cre'd Butte	Gunnison .....	...Republican
Roe, Clark W. ....	31	Teller ....	Rio Grande, Mineral	.....Populist

## OFFICERS.

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MEMBERS—*Concluded.*

NAME	AGE	Postoffice Address	Representing Counties	Politics
Rundie, Wm. B .....	46	Denver ....	Arapahoe .....	... Republican
Salazar, A. A. ....	47	San Luis ..	Costilla .....	... Republican
Sopris, W. R. ....	25	Trinidad ..	Las Animas .....	... Republican
Stewart, Alex .....	50	Denver ....	Arapahoe .....	... Republican
Stuart, Jos. H .....	40	Denver ....	Arapahoe .....	... Republican
Tomkins, H. S. ....	52	Buena Vista	Fremont & Chaffee..	... Populist
Twombly, G. W .....	46	Ft. Lupton	Weld .....	... Republican
Vigil, M. A. ....	44	Walsenb'rg	Huerfano .....	... Republican
Von Hagen, Curt .....	36	Ridgeway ..	Ourray .....	... Populist
Wallace, Jos. W .....	44	Hermosa ..	La Plata .....	... Populist
Warren, Alan I .....	26	Denver ....	Arapahoe .....	... Republican
Westerman, C. L. ....	48	Br'ck'n'r'ge	Grand and Summit.	... Populist
Whittier, W. I. ....	47	Castle Rock	Douglas .....	... Republican
Wilkins, Arthur C .....	52	Akron .....	{ Yuma, Morgan & }	... Republican
Woodworth, I. J .....	43	Gr. Mt. F'lls	{ Washington..... }	... Republican
			El Paso .....	... Republican



## CHAPTER 1.

## APPROPRIATION—GENERAL.

(H. B. 532.)

## AN ACT

TO PROVIDE FOR THE ORDINARY AND CONTINGENT EXPENSES OF THE EXECUTIVE, LEGISLATIVE AND JUDICIAL DEPARTMENTS OF THE STATE FOR THE FISCAL YEARS 1895 AND 1896, LESS THE AMOUNT ALREADY PAID FROM THE APPROPRIATIONS MADE BY THE TENTH GENERAL ASSEMBLY AND FOR DEFICIENCIES FOR 1893 AND 1894.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That the following sums, or so much thereof as may be necessary, are hereby appropriated out of any money in the state treasury belonging to the general fund, not otherwise appropriated, for the salaries and expenses of the executive, legislative and judicial departments of state for the fiscal years 1895 and 1896, less the amount already paid from the appropriation of eighty-seven thousand (87,000) dollars, made by the Tenth General Assembly, and approved January 17, 1895, and the appropriation of forty-six thousand, four hundred and eighty-seven and fifty one-hundredths (46,487.50) dollars, made by the Tenth General Assembly, and approved February 6, 1895:

	For the fiscal year ending Nov. 30, 1895	For the fiscal year ending Nov. 30, 1896	TOTAL
Governor's salary.....	\$5,000 00	\$5,000 00	\$10,000 00
Governor's private Secretary's salary.....	1,500 00	1,500 00	3,000 00
Lieutenant governor's salary.....	1,000 00	1,000 00	2,000 00
Secretary of State's salary.....	3,000 00	3,000 00	6,000 00
Deputy secretary of State's salary.....	2,500 00	2,500 00	5,000 00
Secretary of State's clerk fund.....	5,000 00	5,000 00	10,000 00
Printing clerk's salary.....	1,500 00	1,500 00	3,000 00
Auditor of State's salary.....	2,500 00	2,500 00	5,000 00
Deputy auditor's salary.....	2,500 00	2,500 00	5,000 00
Auditor's clerk fund.....	3,000 00	3,000 00	6,000 00
State treasurer's salary.....	6,000 00	6,000 00	12,000 00
Deputy treasurer's salary.....	2,500 00	2,500 00	5,000 00
Treasurer's clerk fund.....	1,500 00	1,500 00	3,000 00
Superintendent of public instruction's salary.....	3,000 00	3,000 00	6,000 00
Superintendent of public instruction's clerk fund.....	1,500 00	1,500 00	3,000 00
Assistant State Librarian's salary.....	1,000 00	1,000 00	2,000 00
Attorney General's salary.....	3,000 00	3,000 00	6,000 00
Justice of supreme court (3) salaries.....	15,000 00	15,000 00	30,000 00
Reporter of decisions of the supreme court's salary.....	3,000 00	3,000 00	6,000 00
Bailiff of supreme court's salary.....	1,200 00	1,200 00	2,400 00
Clerk of supreme court's salary.....	3,500 00	3,500 00	7,000 00
Deputy clerk of supreme court's salary.....	1,500 00	1,500 00	3,000 00
Judges of court of appeals (3) salaries.....	15,000 00	15,000 00	30,000 00
Clerk of court of appeals' salary.....	3,000 00	3,000 00	6,000 00
Bailiff of court of appeals' salary.....	1,200 00	1,200 00	2,400 00
Stenographers supreme court (3) salaries.....	3,000 00	3,000 00	6,000 00
Stenographers court of appeals (3) salaries ..	3,000 00	3,000 00	6,000 00
Judges of district courts (18) salaries.....	72,000 00	72,000 00	144,000 00
One additional judge of district court, Fourth Judicial district, from January 28, 1895....	3,355 33	4,000 00	7,355 33
District attorneys' (13) salaries.....	10,400 00	10,400 00	20,800 00
State engineer's salary.....	3,000 00	3,000 00	6,000 00



	For the fiscal year ending Nov. 30, 1895	For the fiscal year ending Nov. 30, 1896	TOTAL.
State engineer's assistant's salaries.....	2,700 00	2,700 00	5,400 00
Inspector of coal mines' salary.....	2,000 00	2,000 00	4,000 00
Inspector of coal mines' mileage.....	1,000 00	1,000 00	2,000 00
Inspector of coal mines' assistant's salary....	1,500 00	1,500 00	3,000 00
Inspector of coal mines' clerk fund .. 4.....	500 00	500 00	1,000 00
State veterinary surgeon's salary.....	1,500 00	1,500 00	3,000 00
State veterinary sanitary boards' expenses....	750 00	750 00	1,500 00
Register state board of land commissioners' salary .....	2,000 00	2,000 00	4,000 00
Deputy register's salary .....	1,500 00	1,500 00	3,000 00
Appraiser state board of land commissioners' salary .....	1,500 00	1,500 00	3,000 00
Board of land commissioners' clerk's fund....	2,400 00	2,400 00	4,800 00
Deputy commissioner of labor's salary.....	1,800 00	1,800 00	3,600 00
Deputy commissioner of labor's expense fund	1,500 00	1,500 00	3,000 00
Boiler inspector's salary .....	2,000 00	2,000 00	4,000 00
Boiler inspector's assistant's salary.....	1,500 00	1,500 00	3,000 00
Boiler inspector's expense fund.....	500 00	500 00	1,000 00
All salaries fees and expenses to be paid out of the fees collected for inspection of boilers			
For the per diem and mileage of the members of the Tenth General Assembly, the per diem of the officers, clerks, sergeants-at- arms, pages, janitors, chaplains, doorkeep- ers, stenographers, clerks, or other em- ployees of the Tenth General Assembly, in excess of the amount already appropriated to pay the salaries above enumerated and not already paid from the appropriation of seventy-five thousand (75,000) dollars, made by the Tenth General Assembly and approved January 17, 1895.....	-----	-----	31,000 00
For contingent and incidental expenses of the Tenth General Assembly, viz: Stationery, supplies, expenses of committees to exam- ine books and vouchers of auditor of state, expenses incurred in collecting data con- cerning the state's indebtedness, the per diem and mileage of witnesses summoned before any committee, stenographer's services rendered any committee, and any other expenses not enumerated in excess of the amount already appropri- ated to pay the expenses above enumer- ated and not already paid from the appro-			Contingent and incidental, Tenth General Assembly.

		For the fiscal year ending Nov. 30, 1895	For the fiscal year ending Nov. 30, 1896	TOTAL.
	priation of twelve thousand (12,000) dollars, made by the Tenth General Assembly and approved January 17, 1895.....			3,000 00
Incidental expenses of executive and judicial.	For the incidental expenses of the executive and judicial departments for the years 1895 and 1896, viz., drayage, expressage, messengers, postage, seals and rubber stamps, city and state directories, maps, telegrams, instruments for state engineer, stationery for all departments, and any other articles that will facilitate the business of any departments.....			25,000 00
Contingent expenses, executive and judicial.	For the general contingent expenses of the executive department for the years 1895 and 1896, viz., rewards for the apprehension of fugitives from justice, expenses of presidential electors, examination of state treasurer's books, messenger and clerical assistance to the executive, expenses of the state board of canvassers, salary of the state examiner, expenses of the state board of equalization, and payment of any unforeseen contingent expenses that may arise, not otherwise provided for.....			12,000 00
Printing, Tenth General Assembly.	For the printing required by the Tenth General Assembly for the years 1895 and 1896, viz., House and Senate bills, calendars, roll calls, reports, letter heads and envelopes, rules, bill covers, engrossing blanks, session laws of the Tenth General Assembly in English and Spanish, reports of state officers, departments and institutions, message and inaugural of governor, publishing the proposed amendments to the constitution, the House and Senate Journals for 1895, printing of acts or parts of acts, and any printing required by law, or ordered by either branch of the General Assembly.....			30,000 00
Printing, executive and judicial.	For incidental printing required by the executive and judicial departments for the years 1895 and 1896, viz., blanks, blank books, stationery, reports, notices, advertising, lithographing, catalogues, school records and blanks, school laws, examination questions, briefs, dockets, warrants, checks, publishing state treasurer's quarterly reports, publishing Colorado reports, proclamations, election laws, sample poll books, and printing for the labor commissioners.....			25,000 00
State board land commissioners.	For expenses of the state board of land commissioners, viz., appraising for lease, advertising, platting, surveying, expense of selling, fees of register, receiver and county clerk and office expense.....	4,500 00	4,500 00	9,000 00
Incidental expenses, attorney general.	For incidental expenses of the attorney general, viz., clerical assistance, assistant			

	For the fiscal year ending Nov. 30, 1893	For the fiscal year ending Nov. 30, 1896	TOTAL.
counsel, traveling expenses and all other expenses incurred by him in the discharge of his duties as provided by law.....	6,000 00	6,000 00	12,000 00
For incidental expenses of the auditor of state, viz., clerical assistance, and other expenses incurred by him in the discharge of his duties as provided by law.....	1,000 00	1,000 00	2,000 00
For attorney fees of I. N. Stevens as counsel for investigating committee of Senate.....	-----	-----	500 00
For attorney fees of R. W. Bonyngs as counsel for investigating committee of House.....	-----	-----	500 00
For services of Frank P. Schaefer for investigating committee of House.....	-----	-----	100 00
For services of James E. Cummings for investigating committee of Senate.....	-----	-----	100 00
For stenographer and typewriting services to James B. Knoblock.....	-----	-----	272 20
Also for H. T. Sale for services rendered in office of the Attorney General \$660.00; to W. J. Thomas for services rendered in Attorney General's office \$771.42.....	-----	-----	1,431 42
For incidental expenses of the secretary of state, viz., clerical assistance, translating, copying and indexing laws of the Tenth General Assembly, preparing and indexing House and Senate Journals, compiling of acts authorized by law, arranging, filing and indexing old territorial and state records, and other expenses incurred by him in the discharge of his duties, as provided by law.....	6,500 00	3,500 00	10,000 00
For incidental expenses of the state treasurer for clerical assistance and other expense incurred by him in the discharge of his duties as provided by law.....	1,500 00	1,500 00	3,000 00
For traveling and incidental expenses of the superintendent of public instruction.....	1,000 00	1,000 00	2,000 00
For the per diem and mileage of the board of examiners of state coal mine inspector.....	-----	-----	650 00
For the state board of pardons, the necessary expenses of said board, as provided by law.....	500 00	500 00	1,000 00
For the unpaid expenses incurred by the state in the suppression of insurrection, and in defense of the state during the year 1894, which may be approved by the governor, attorney general and state auditor, as provided in House Bill No. 360, to the amount of.....	-----	-----	75,000 00
For the unpaid expenses of the years 1893, and 1894, being for rent, printing, pub-			Unpaid expenses for 1893 and 1894.

	For the fiscal year ending Nov. 30, 1895	For the fiscal year ending Nov. 30, 1896	TOTAL.
lishing constitutional amendments, scalp bounties, county treasurers' county relief, insurance, moving to capitol building, stock indemnity, game and fish warden and commissioners, expenses of the state board of horticulture, expenses of special session of the legislature, coal mine inspector examiners, steam boiler inspector, metalliferous mines inspector, board of medical examiners, unpaid salary and expenses of officers and their assistants, acting under authority of law, state education, reformatory and penal institutions, and other legal outstanding indebtedness of like nature, which may be approved by the governor, attorney general and auditor of state, as provided in House Bill No 360, to the amount of.....	-----	-----	100,000 00

Balance  
transferred to  
general fund.

Sec. 2. All unexpended balances remaining to the credit of any appropriation herein mentioned shall, when all bills have been paid, be transferred to the general fund.

Bills,  
how approved.

Sec. 3. All bills incurred for clerks and assistants, or other employes, during the session of the General Assembly, to be approved as follows: For the House, by the speaker and chief clerk; for the Senate, by the president and secretary; and the auditor to audit the same as provided by law. The contingent and incidental expense of the Tenth General Assembly to be approved by the secretary of state, and audited by the auditor of state, upon vouchers duly sworn to, to be certified to as correct by the chairmen of the House and Senate committees on expenses. All other expenses to be approved by the secretary of state and audited by the auditor of state. The incidental expenses of the executive and judicial departments to be approved by the secretary of the state and audited by the auditor of state. The general contingent expenses of the executive departments to be approved by the governor and audited by the auditor of state. The bills for printing to be

approved by the secretary of state and audited by the auditor of state, after same have been measured by the state measurer. The incidental expenses of the secretary of state, auditor of state, state treasurer, attorney general and superintendent of public instruction to be approved and verified by the several officers aforesaid, audited by the auditor of state, and payable in monthly installments, upon warrants drawn by the auditor upon the state treasurer in favor of the person, persons or board who rendered the service, or furnished the supplies, by reason of which the indebtedness of the state was incurred. All other bills to be approved and verified by the person, persons or board having such appropriation in charge, and audited by the auditor of state, and paid as above specified. All bills incurred for clerks and assistants, or other employees, and all bills incurred for traveling expenses in the several departments of state shall be audited monthly by the auditor of state, and warrants drawn on the state treasury therefor in the manner provided in section 4 of this act.

Verified.

Traveling expenses, bills audited monthly.

Sec. 4. All warrants issued under the provisions of this act shall be made only to the party to whom the state has become indebted, including herein all subordinates and employees of heads of departments, and all accounts for services rendered, items furnished, shall, before the issuance of a warrant therefor, be itemized and sworn to before an officer authorized by law to take affidavits, except in the case of duly elected or appointed officers of the state receiving a fixed compensation by law, and the same approved by the proper officer of the state; Provided, that in all cases of cash paid out by officers for traveling expenses and mileage, said itemized account must be accompanied by proper vouchers therefor, signed by the party to whom such money has been paid; Provided, further, that no warrants shall be drawn under the provisions of this act to any officer, or on any fund, until all fees and emoluments of any

Accounts to be sworn to.

Vouchers for traveling expenses.

Fees of previous month to be turned in to treasurer.

kind or nature collected by such officer for the preceeding month, shall have been accounted for, under oath, and the amounts turned over to the state treasurer.

Auditor submit biennial report.

Sec. 5. The auditor shall submit to the General Assembly, in his biennial report, an itemized statement of the expenditures made from the appropriations provided for in this act.

Emergency.

Sec. 6. Whereas, In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 8, 1895.

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## CHAPTER 2.

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### APPROPRIATION—ACKER, HENRY L., ET AL.

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(H. B. 334, by Mr. Lowell.)

## AN ACT

FOR THE RELIEF OF HENRY L. ACKER, INSPECTOR OF METALLIFEROUS MINES, AND FOR J. H. GOLDSWORTHY AND FOR MAURICE C. HAYES, ASSISTANT INSPECTORS OF METALLIFEROUS MINES; AND MAKING AN APPROPRIATION TO PAY THE SEVERAL AMOUNTS DUE AND TO BECOME DUE EACH OF SAID PERSONS.

*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation.

Section 1. There is hereby appropriated out of the casual deficiency bond fund and of the State of Colorado the sum of nine thousand seven hundred and eight and thirty four one hundredths dollars (\$9708.34) or so much thereof as may be necessary, for the purpose of paying the balance of the salaries and expenses of Henry L Acker as inspector of Metalliferous Mines, and J H Goldsworthy and Maurice C Hayes as assistant inspectors of Metalliferous Mines, which sum so appropriated shall be divided between said parties as follows:

The sum of five thousand eight hundred and thirty three and thirty four one hundredths dollars (\$5833.34) is appropriated for the purpose of paying the salary and expenses of Henry L Acker as inspector of Metalliferous Mines; the sum of two thousand one hundred and twenty five dollars (\$2125.00) is appropriated for the purpose of paying the salary and expenses of J H Goldsworthy as assistant inspector of Metalliferous Mines, and the sum of one thousand seven hundred and fifty dollars (\$1750.00) is hereby appropriated for the purpose of paying the salary and expenses of Maurice C Hayes as assistant inspector of Metalliferous Mines.

Salary and expenses.

Sec. 2. The auditor is hereby directed to draw his warrants for the several sums now justly due, and from time to time as the same may hereafter become due, in favor of said Acker for the sum of five thousand eight hundred and thirty three and thirty four one hundredths dollars (\$5833.34) and is also directed to draw his warrants for the several sums now justly due, and from time to time as the same may hereafter become due, in favor of said Goldsworthy, for the sum of two thousand one hundred and twenty five dollars, (\$2125.00) and is also directed to draw his warrants in favor of said Hayes for the sum of one thousand seven hundred and fifty dollars, (\$1750.00)

Auditor draw warrants.

Sec. 3. The treasurer of the State of Colorado is directed to pay said warrants out of the receipts of the casual deficiency bond fund and the general revenues of said State. Provided that the amounts due for salaries and expenses for the fiscal year of 1895 alone be paid out of the General Revenue fund of 1895.

Treasurer pay from what fund.

Sec. 4. Whereas, In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Emergency.

Approved April 30, 1895.

## CHAPTER 3.

### APPROPRIATION—AGRICULTURAL COLLEGE.

(H. B. 139, by Mr. Miller.)

## AN ACT

TO PROVIDE FOR THE IMPROVEMENT OF THE REAL PROPERTY OF THE STATE OF COLORADO, KNOWN AS THE STATE AGRICULTURAL COLLEGE GROUNDS, BY THE ERECTION OF NEEDFUL ADDITIONAL PERMANENT BUILDINGS THEREON; AND MAKING AN APPROPRIATION THEREFOR.

*Be it enacted by the General Assembly of the State of Colorado:*

Improvement of  
grounds.

Section 1. That for the purpose of improving the real property owned by the State of Colorado and designated as the State Agricultural College grounds, in the erection of needful additional permanent buildings thereon, there shall be and hereby is appropriated out of the internal improvement income fund the sum of ten thousand (\$10000) dollars.

Money expended  
under control of  
board.

Sec. 2. That all moneys appropriated by this act shall be expended for the purposes stated in section one (1) hereof, under the direction and control of the state board of agriculture.

Auditor draw  
warrant.

Sec. 3. That the auditor of state is hereby authorized and directed to draw warrants on the fund created by section one (1) of this act, upon presentation of certificates of indebtedness issued by the said State board of agriculture and signed by its president and secretary.

Approved April 11, 1895.



## CHAPTER 4.

## APPROPRIATION—ARTESIAN WELL.

(S. B. 167, by Senator Painter.)

## AN ACT

TO PROVIDE FOR THE SINKING OF AN ARTESIAN WELL AT A POINT TO BE SELECTED IN THE TERRITORY EMBRACED IN THE COUNTIES OF PHILLIPS, SEDGWICK, LOGAN, WASHINGTON AND YUMA, COLORADO, FOR THE PURPOSE OF TESTING THE FLOW OF ARTESIAN WATER FOR IRRIGATING PURPOSES, IRRIGATING STATE LAND; PROVIDING A BOARD TO LOCATE SAID WELL AND SUPERINTEND THE CONSTRUCTION OF THE SAME, AND MAKING AN APPROPRIATION THEREFOR.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of any money in the state treasury belonging to the internal improvement permanent fund or the internal improvement income fund the sum of five thousand dollars (\$5,000), or so much thereof as may be necessary for the purpose of sinking an artesian well at some point, to be selected as hereinafter provided, within the territory embraced in the counties of Phillips, Sedgwick, Logan, Washington and Yuma, Colorado, for the purpose of testing the flow of artesian water for irrigation purposes and to irrigate state lands; Provided, that in case there should not be sufficient money in said funds to meet said appropriation at the time of payment for the construction of said well, the state treasurer is hereby authorized and directed to pay the warrant drawn by the auditor of state for the amount herein appropriated, with valid state warrants invested in either or both of said funds; and said warrants shall be received by the contractor of said work at par, with accrued interest thereon, in full payment of the contract price of said work, or any part thereof, for the payment of which there may be no money in said funds.

Appropriation.

If no money in treasury—how paid.

Board of construction.

Sec. 2. The state engineer and the chairman of the board of County Commissioners of the several Counties hereinbefore named shall be and are hereby constituted a board for the purpose of locating and constructing said well.

Board select location.

Advertise for bids.

Sec. 3. It is hereby made the duty of said board, upon the taking effect of this act, to select the location for said well and advertise for bids for the construction of the same. The said advertisements shall be published for a period of not less than thirty days in at least three newspapers of general circulation, two of which shall be newspapers published within the territory embraced in the counties hereinbefore named.

Board let contract.

Bond.

Sec. 4. Said board shall let the contract for the sinking of said well to the lowest responsible bidder, and shall require of the party to whom the contract is awarded a good and sufficient bond, with sureties to be approved by the president and secretary of said board, in the sum of twice the amount named as the contract price of said work, conditioned on the completion of said work in accordance with the terms of the contract.

Auditor draw warrant.

Sec. 5. The auditor of state, on the presentation to him of the certificate of the state engineer that the work of sinking said well has been completed according to the contract, and that the same has been accepted by the board, is hereby directed to draw warrants for the amount appropriated in section 1 of this act, or so much thereof as may be necessary for the purpose of paying the amount due on said contract.

Balance covered back.

Sec. 6. In case the work of sinking said well shall not have been commenced during the year 1895 or 1896, or in the event of a balance remaining to the credit of said appropriation, the money as appropriated or the balance thereof, as the case may be, shall be covered back into the fund from which it was taken.

Sec. 7. In the opinion of the General Assembly <sup>Emergency.</sup> an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 23, 1895.

## CHAPTER 5.

### APPROPRIATION—ARTESIAN WELL IN CONEJOS COUNTY.

(H. B. 5, by Mr. Garcia.)

## AN ACT

TO PROVIDE FOR THE SINKING OF AN ARTESIAN WELL IN SECTION 29, T. 33 N., R. 9 E., N. M. MERIDIAN, CONEJOS COUNTY, COLORADO, FOR THE PURPOSE OF IRRIGATING STATE LANDS.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of <sup>Appropriation.</sup> any money in the state treasury belonging to the internal improvement permanent fund, the sum of twenty five hundred dollars (\$2500.), or so much thereof as may be necessary, for the purpose of sinking an artesian well in section 29, T. 33 N., R. 9 E., N. M. Meridian, Conejos County, Colorado, to irrigate state lands; Provided, In case there may be no money in said fund to meet said appropriation or any part thereof at the time of payment for said work, the state treasurer is hereby authorized and directed to <sup>If no money in fund—how payment to be made.</sup> pay the warrants drawn by the auditor of state for the amount herein appropriated with valid state warrants invested in said fund, said warrants so invested to be received by the contractor of said work at par, with accrued interest thereon, in full payment of the contract price of said work, or any part thereof, for the payment of which there may be no money in said fund.

Sec. 2. The governor of the state, the state engineer and the chairman of the board of county com- <sup>Board of construction.</sup>

missioners of Conejos county shall be and are hereby constituted a board, to be designated as a board of construction, of which board the governor shall be chairman and the state engineer shall be secretary.

**Advertise for bids.** Sec. 3. It shall be the duty of the board, as soon as may be after this act takes effect, to advertise for bids for the work of sinking said well; said advertisements shall be inserted for at least thirty days, in at least three different newspapers of general circulation published in this state, one of which shall be in some newspaper published outside of Conejos county.

**Let contract.** Sec. 4. After the location of the site for said well, the board herein provided for shall let a contract for the sinking of the same to the lowest responsible bidder; Provided, however, That said board may reserve the right to reject any and all bids, if such action be deemed necessary for the public good; and no contract shall be let unless the bid shall come within the amount hereby appropriated, or some responsible parties shall agree to furnish the amount required in excess of this appropriation, and provided further, That said board shall require a good and sufficient bond, with sureties to be approved by the secretary thereof from the party or parties contracting, in the sum of double the amount named in the contract price of said work, conditioned for the completion of the work in accordance with the contract.

**If appropriation insufficient then no part to be expended.**

**Bond.** Sec. 5. When the work shall have been completed according to the contract and accepted by said board, the auditor of state is hereby directed to draw a warrant for the amount, on the certificate of the state engineer, that the said work has been completed according to the contract, and that the same has been accepted by the board.

**Auditor draw warrant.**

**Balance recovered back.** Sec. 6. In case the work shall not have been commenced during the year 1895 or 1896, or in the event of a balance remaining to the credit of said appropriation, the money so appropriated shall be recovered back into the fund from which it was taken.

Sec. 7. In the opinion of the General Assembly <sup>Emergency.</sup> an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 23, 1895.

## CHAPTER 6.

### APPROPRIATION—ARTESIAN WELL IN MONTEZUMA COUNTY.

(S. B. 231, by Senator Newman.)

## AN ACT

TO PROVIDE FOR THE SINKING OF AN ARTESIAN WELL IN TOWNSHIP THIRTY-FIVE, RANGE SIXTEEN WEST, NEW MEXICO PRINCIPAL MERIDIAN, IN THE MONTEZUMA VALLEY, MONTEZUMA COUNTY, COLORADO, FOR THE PURPOSE OF IRRIGATING STATE LANDS AND PROSPECTING THE SAME FOR THE DISCOVERY OF MINERAL OILS; AND MAKING AN APPROPRIATION THEREFOR.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of <sup>Appropriation</sup> any money in the state treasury belonging to the internal improvement, permanent or income fund, the sum of three thousand (\$3000) dollars, or so much thereof as may be necessary for the purpose of sinking an artesian well, or wells, at some point to be hereafter determined in township 35 north, range 16 west, New Mexico principal meridian, in the Montezuma valley, in Montezuma county, upon lands belonging to the state of Colorado, for the purpose of irrigating state lands and prospecting the same for mineral oils; Provided, In case there may be no money in said fund to meet said appropriation, or any <sup>If no money in fund, how payment shall be made.</sup> part thereof, at the time of payment for said work, the state treasurer is hereby authorized and directed to pay the warrants drawn by the auditor of the state for the amount herein appropriated, with valid state warrants invested in either or both of said funds; said warrants so invested to be received by the contractor of said work at par, with accrued interest thereon, in

full payment of the contract price of said work, or any part thereof, for the payment of which there may be no money in said funds.

Board of  
construction.

Sec. 2. The governor of the state, the state engineer and the chairman of the board of county commissioners of Montezuma county shall be and hereby constitute a board, to be designated as a board of supervision, of which board the governor shall be the chairman and state engineer shall be secretary.

Board select site.

Sec. 3. It shall be the duty of the board, as soon as it may be convenient and practical after this act shall take effect, to carefully investigate and select the most desirable location of the site for the sinking of said well upon the most available portion of the state lands situated in said town-ship, or upon any other state lands in said county, as in their judgment they may deem most likely to produce the best results in the carrying out of the objects of this act.

Let contract.

Sec. 4. After the location of the site for said well, the board herein provided for shall let a contract for the sinking of the same to the lowest responsible bidder; Provided, however, That said board may reserve the right to reject any and all bids, if such action be deemed necessary, for the public good. And it shall be the duty of the board to advertise for bids for the work of sinking said well or wells; said advertisement shall be inserted for at least thirty (30) days in at least three different newspapers of general circulation published in this state, one of which shall be some newspaper published in Montezuma county, one in some newspaper published in La Plata county and one in some newspaper published in the city of Denver; and, Provided, further, That said board shall require a good and sufficient bond, with sureties, to be approved by the secretary of said board, from the party or parties contracting for said work in the sum of double the amount named in the contract price

Advertise for  
bids

Bond.

of said work, conditioned for the completion of the work in accordance with the contract and specifications in detail as shall be drawn by the state engineer.

Sec. 5. The state engineer, as secretary of the board of supervision, shall require of the contractor a detailed statement of the character of the strata through which said well shall be sunk; and said contractor shall keep an accurate account of the work from the commencement thereof to its completion; and shall further furnish to the state engineer at his office in Denver samples of all the various strata soils encountered during the prosecution of said work, and full and complete data concerning the extent of the same.

Contractor to furnish statement of character of strata.

Contractor furnish samples of strata soils.

Sec. 6. When the work shall have been completed according to the contract and accepted by the board, the auditor of state is hereby directed to draw a warrant for the amount on the certificate of the state engineer, countersigned by the governor, that the said work has been completed according to the contract, and that the same has been duly accepted by the board.

Auditor draw warrants.

Sec. 7. Whereas, in the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Emergency.

Approved April 23, 1895.

## CHAPTER 7.

### APPROPRIATION—BENEDICTINE SISTERS.

(S. B. 83, by Senator Johnson )

## AN ACT

PROVIDING FOR THE RELIEF AND APPROPRIATING MONEY FOR THE BENEDICTINE SISTERS OF COLORADO, FOR DAMAGES DONE TO THEIR BUILDING IN THE TOWN OF CANON CITY, FREMONT COUNTY, COLORADO, SUSTAINED BY THE CONSTRUCTION OF THE "HOG-BACK TUNNEL", OR IN THE CONSTRUCTION OF STATE CANAL NO. ONE.

*Be it enacted by the General Assembly of the State of Colorado:*

Board of  
Commissioners  
erect building.

Section 1. That upon the passage of this act it shall be the duty of the board of penitentiary commissioners to proceed to erect such a building as in their judgment will give to said Benedictine Sisters a building equal in all respects, to the one which they owned prior to the time that the work on said tunnel was commenced. The cost to the state not to exceed the sum of money provided for in section 3 hereof, in addition to the labor and material to be furnished under section 2 hereof. The work on said building shall be performed by the convicts in the penitentiary under the direction of such architect or superintendent as the board of commissioners may designate.

Cost.

Work performed  
by convicts.

Material.

Sec. 2. Said board of penitentiary commissioners are hereby empowered to use sufficient material, such as brick, stone, lime and other building materials as can be obtained on the prison grounds at Canon City in the construction of said building.

Appropriation.

Sec 3. In order to carry out the provisions of this act, there is hereby appropriated out of any moneys in the treasury, not otherwise appropriated, the sum of eight thousand dollars (\$8.000), or so much thereof as may be necessary. No part of this money to be used for the payment of guards.



Sec. 4. Upon the presentation of sufficient vouchers, duly countersigned by the board of penitentiary commissioners, the State auditor is hereby authorized to draw his warrant or warrants upon the State treasury in payment of any salary or expenses necessary in carrying out the provisions of this act. Auditor draw warrants.

Sec. 5. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage. Emergency.

Approved April 8, 1895.

## CHAPTER 8.

### APPROPRIATION—BOARD OF PARDONS.

(H. B. 339, by Mr. Sopris.)

## AN ACT

TO AMEND SECTION ONE (1) OF AN ACT TO CREATE A STATE BOARD OF PARDONS, AND TO MAKE AN APPROPRIATION FOR THE SAME.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That Section 1 of an act to create a board of pardons, approved March 21, 1893, be amended so as to read as follows:

Sec. 1. That a state board of pardons is hereby established, to consist of four members, to be appointed by the governor. The term of office of such members shall be for four years, but of the first appointments two shall be for two years and two for four years. The governor shall be ex-officio a member and shall be president of the board, and the secretary of the board of charities and corrections shall be secretary of the state board of pardons without further compensation. Consist of four members. Term of office. Governor president. Who secretary.

Sec. 2. There is hereby appropriated, out of any moneys in the treasury not otherwise appropriated, for the use of the board of pardons, six hundred dol- Appropriation.

lars (\$600,) for the year 1895 and six hundred dollars (\$600,) for the year 1896,

Emergency.

Sec. 3. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 1, 1895.

## CHAPTER 9.

### APPROPRIATION—BOUNTIES ON WOLVES, COYOTES AND MOUNTAIN LIONS.

(H. B. 258, by Mr. Harper.)

## AN ACT

FOR THE PAYMENT OF BOUNTIES ON WOLVES, COYOTES AND  
MOUNTAIN LIONS FOR THE YEARS 1895 AND 1896.

*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation.

Section 1. There is hereby appropriated out of the General Revenue fund the sum of eight thousand dollars (\$8000,) being the sum of four thousand dollars (\$4000,) for each of the fiscal years 1895 and 1896, or so much thereof as may be necessary for the payment of bounties on Wolves, Coyotes and Mountain Lions.

Emergency.

Sec. 2. Whereas, In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 25, 1895.

## CHAPTER 10.

## APPROPRIATION—BRIDGE ACROSS BLUE RIVER.

(H. B. 37, by Mr. Westerman.)

## AN ACT

TO CONSTRUCT A STATE BRIDGE ACROSS THE BLUE RIVER, ABOUT TWO MILES NORTH OF THE TOWN OF BRECKENRIDGE, IN SUMMIT COUNTY, ON OR NEAR SECTION NINETEEN OR THIRTY, TOWNSHIP SIX SOUTH, OF RANGE SEVENTY-SEVEN WEST, SIXTH PRINCIPAL MERIDIAN, AND TO APPROPRIATE MONEY FOR THE PAYMENT OF THE SAME.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of Appropriation. any moneys in the State treasury belonging to the internal improvement permanent fund, and not otherwise appropriated, the sum of forty five hundred dollars (\$4,500.00), or so much thereof as may be necessary, for the purpose of constructing a State wagon bridge, of wood and iron, or steel across the Blue River, about two miles from the town of Breckenridge, in Summit County, on Section 19 or 30, township 6 South, range 77 west, sixth principal meridian, or as near thereto as may be deemed practicable; Provided, In case there may be no money in said fund to meet said appropriation, or any part thereof, If no money in fund treasurer to pay in state warrants. at the time of payment for said work, the state treasurer is hereby authorized and directed to pay the warrants drawn by the auditor of State, for the amount herein appropriated, with valid State warrants invested in said fund, said warrants so invested to be received by the contractor of said work at par, with accrued interest thereon, in full payment of the contract price of said work, or any part thereof, for the payment of which there may be no money in said fund; and Provided further, That the work and labor herein provided for the construction of said bridge shall be done and performed by citizens of Work to be done by citizens of Colorado.

Colorado who have been residents therein for a period of not less than ninety (90) days.

Board consist of.

Sec. 2. The governor and the State engineer of the State, with the chairman of the board of county commissioners of Summit county, shall be and hereby are made a board for the purpose of constructing said bridge.

Duty of board to advertise for plans.

Sec. 3. It is hereby made the duty of said board, as soon as this act takes effect, to advertise for and secure plans and specifications for the construction of said bridge.

Advertise for bids.

Sec. 4. Upon the adoption of proper plans and specifications for the construction of a wood and iron or steel wagon bridge as aforesaid, it shall be the duty of such board to advertise for bids in accordance therewith, and thereupon they shall let the contract thereof to the lowest responsible bidder; Provided, That if, on receiving the bids for the construction of said bridge, it is found that the amount herein appropriated is not sufficient to complete said bridge, then no part of the appropriation herein provided for shall be used, except so much thereof as shall be necessary to pay the cost of procuring the plans and specifications hereinbefore mentioned, unless the board of county commissioners, or other responsible parties of said Summit county shall agree to furnish the amount required in excess of this appropriation, and shall furnish to this commission satisfactory evidence that such money shall be forthcoming on demand of such commissioners, or the contractor, on the completion of said bridge.

If appropriation insufficient no part to be used.

Public highway.

Sec. 5. Such State bridge, when constructed shall be a public highway and free to the use of all persons.

County keep in repair.

Sec. 6. When constructed, it shall be the duty of the county of Summit to keep such bridge in repair at its own expense.

Sec. 7. Upon completion of such bridge, according to contract, and the same being certified to

by the State engineer and the board of county commissioners of said Summit county, the auditor of State is hereby authorized to draw warrants for the amount appropriated by Section 1 of this act, or so much thereof as may be necessary, for the purpose of paying the amount due on said contract. Auditor draw warrant.

Sec. 8. In case the work shall not have been commenced during the year 1895 or 1896, or in the event of a balance remaining to the credit of said appropriation, the money so appropriated or balance thereof shall be covered back into the fund from which it was taken. Balance covered back.

Sec. 9. Whereas, In the opinion of the General Assembly an emergency exists; therefore, this act shall be in force from and after its passage. Emergency.

Approved April 29, 1895.

## CHAPTER 11.

### APPROPRIATION—BRIDGE ACROSS WHITE RIVER.

(H. B. 34, by Mr. Lowell.)

## AN ACT

TO PROVIDE FOR THE CONSTRUCTION OF A BRIDGE ACROSS WHITE RIVER, IN RIO BLANCO COUNTY, AT A POINT NEAR THE TOWN OF RANGLEY, AND APPROPRIATING MONEY FOR THE PAYMENT OF THE SAME.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of any money in the State treasury, belonging to the internal improvement permanent fund, the sum of four thousand dollars (\$4,000), or so much thereof as may be necessary, for the purpose of constructing a State bridge across White river, in Rio Blanco County, at a point near the town of Rangley. The exact location of said bridge shall be determined by the commission mentioned in the succeeding section; Provided, That the work and labor herein provided for, for the con- Appropriation.

Work performed  
by citizens.

struction of said bridge, shall be done and performed by citizens of Colorado who have been residents therein for a period of not less than ninety (90) days.

Board of  
construction.

Sec. 2. The governor and the State engineer of this State, with the chairman of the board of county commissioners of Rio Blanco County, shall be and hereby are made a board for the purpose of locating and constructing said bridge.

Advertise for  
plans, etc.

Sec. 3. It is hereby made the duty of said board, as soon as this act takes effect, to advertise for and secure plans and specifications for the construction of said bridge.

Advertise for bids.

Sec. 4. Upon the adoption of proper plans and specifications for a wagon bridge, as aforesaid, it shall be the duty of said board to advertise for bids, in accordance therewith, and thereupon they shall let the contract to the lowest bidder; Provided, That if the board shall determine, after examination and survey, that the bridge provided for in this act cannot be constructed with the amount of money herein appropriated, then in such case no part of such appropriation shall be expended, except so much thereof as may be necessary to defray the expenses which may have been incurred by the board in making the necessary examination and surveys, unless the board of County Commissioners of said Rio Blanco County, or other responsible parties, shall agree to furnish the amount required in excess of this appropriation, and shall furnish to the Commission herein established, satisfactory evidence that such money will be forthcoming on demand of such Commission on the completion of said bridge.

If appropriation  
insufficient then  
no part to be  
expended.

Public highway.

Sec. 5. Such bridge, when constructed, shall be a public highway and free to the use of all persons.

County keep in  
repair.

Sec. 6. When constructed, it shall be the duty of the County of Rio Blanco to keep said bridge in repair at its own expense.

Auditor draw  
warrants.

Sec. 7. Upon the completion of said bridge, according to contract, the auditor of State is hereby

authorized to draw warrants for the amount appropriated by section one (1) of this act, or so much thereof as may be necessary for the purpose of paying the amount due on said contract.

Sec. 8. In case the work shall not have been commenced during the year 1895 or 1896, or in the event of a balance remaining to the credit of said appropriation, the money so appropriated, or balance thereof, as the case may be, shall be recovered back into the fund from which it was taken. <sup>Balance covered back.</sup>

Sec. 9. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage. <sup>Emergency.</sup>

Approved April 18, 1895.

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## CHAPTER 12.

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### APPROPRIATION—BRIDGE IN CHAFFEE COUNTY.

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(H. B. 186, by Mr. Tomkins.)

## AN ACT

TO PROVIDE FOR THE CONSTRUCTION OF A BRIDGE ACROSS THE ARKANSAS RIVER, IN CHAFFEE COUNTY, NEAR THE STATE REFORMATORY; AND TO APPROPRIATE MONEY FOR THE PAYMENT OF THE SAME.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of any money in the State treasury belonging to the internal improvement permanent fund, the sum of two thousand (2,000) dollars, or so much thereof as may be necessary, for the purpose of constructing a state bridge across the Arkansas river, in Chaffee county, on the public highway as now established, immediately north of the state reformatory; the exact location of such bridge shall be determined by the board of county commissioners of said Chaffee county and the warden of the State reformatory. <sup>Appropriation.</sup> <sup>Location.</sup>

Sec. 2. The said bridge shall be constructed of wood, stone, iron or steel and the warden of the re- <sup>Material.</sup>

Warden to employ convicts. formatory shall have full and complete control of the construction of the same; and he is hereby authorized to employ convicts, confined in the reformatory, in the construction of said bridge, and to use the teams, wagons, tools and other implements, belonging to the reformatory, in the construction of said bridge.

Use tools, etc.

Warden purchase lumber, etc. Sec. 3. The warden of the reformatory shall purchase the necessary lumber for said bridge, and other material at the lowest market price, and issue his certificate for the purchase price of the same, Provided, That if, on making a survey and estimate of the construction of said bridge, it is found that the amount herein appropriated is not sufficient to complete said bridge, then no part of said appropriation shall be used unless the boards of county commissioners or other responsible parties of said Chaffee County shall agree to furnish the amount required in excess of this appropriation and shall furnish to this board satisfactory evidence that such money shall be forthcoming on demand of such board or the contractor or contractors on completion of said bridge.

If appropriation insufficient then no part to be expended.

Public highway. Sec. 4. Said bridge, when constructed, shall be a public highway and free to the use of all persons; and it shall be the duty of the county of Chaffee to keep the same in repair at its own expense.

County keep in repair.

Auditor draw warrants. Sec. 5. The auditor of state is hereby authorized to draw warrants, upon the presentation of the certificates issued by the said warden, for the amount appropriated by this act, or so much thereof as may be necessary to pay the cost of said bridge. Any balance of said appropriation remaining to be covered back into the fund from which it was taken.

Balance covered back.

Emergency. Sec. 6. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 23, 1895.



## CHAPTER 13.

## APPROPRIATION—BRIDGE IN GUNNISON COUNTY.

(H. B. 256, by Mr. Rockefeller.)

## AN ACT

TO PROVIDE FOR THE CONSTRUCTION OF A BRIDGE ACROSS  
THE GUNNISON RIVER, IN GUNNISON COUNTY.*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of any money in the state treasury belonging to the internal improvement permanent fund the sum of five thousand dollars (\$5.000), or so much thereof as may be necessary, for the purpose of constructing a state bridge across the Gunnison river, in Gunnison county, at a point about one mile southwest of the city of Gunnison, the exact location of said bridge to be determined by the commission created by this act.

Appropriation.

Sec. 2. The governor, the state engineer of Colorado, and the chairman of the board of county commissioners of Gunnison county, shall be and hereby are made a board for the purpose of locating and constructing said bridge.

Board of Construction.

Sec. 3. It is hereby made the duty of said board, as soon as this act takes effect, immediately to advertise for and secure plans and specifications for the construction of said bridge, and to advertise for bids for the construction of the same, and therefrom they shall let the contract thereof to the lowest responsible bidder. Provided, That if the board shall determine, after examination and survey, that the bridge provided for in this act cannot be constructed with the amount of money herein appropriated, then in such case no part of such appropriation shall be expended, except so much thereof as may be necessary to defray the expenses which may have been incurred by the board in making the necessary examination

Secure plans.

Advertise for bids.

If appropriation insufficient then no part to be expended.

and surveys, unless the board of county commissioners of said Gunnison county, or other responsible parties, shall agree to furnish the amount required in excess of this appropriation, and shall furnish to the commission herein established, satisfactory evidence that such money will be forthcoming on demand of such commission on the completion of said bridge.

Public highway.

Sec. 4. Such state bridge, when constructed, shall be a public highway, and free to the use of all persons.

County keep in repair.

Sec. 5. When constructed, it shall be the duty of the county of Gunnison to keep said bridge in repair at its own expense.

Auditor draw warrants.

Sec. 6. Upon the completion of said bridge according to contract, the auditor of state is hereby authorized and directed to draw warrants for the amount appropriated by section one (1) of this act, or so much thereof as may be necessary, for the purpose of paying the amount due upon said contract.

Balance covered back.

Sec. 7. In case the work shall not have been commenced during the year 1895 or 1896, or in event of a balance remaining to the credit of said appropriation, the money so appropriated, or balance thereof, as the case may be, shall be covered back into the fund from which it was taken.

Emergency.

Sec. 8. Whereas, In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 23, 1895.

## CHAPTER 14.

## APPROPRIATION—BRIDGE IN MESA COUNTY.

(H. B. 211, by Mr. Page.)

## AN ACT

TO CONSTRUCT A BRIDGE ACROSS THE GRAND RIVER IN MESA COUNTY NEAR A POINT CALLED THE "NARROWS," ABOVE THE STATION OF PALISADE, AND APPROPRIATING MONEY FOR THE PAYMENT OF THE SAME.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of any money in the state treasury belonging to the internal improvement permanent fund the sum of seven thousand five hundred dollars (\$7,500) or so much thereof as may be necessary, for the purpose of constructing a state bridge across Grand river, in Mesa County, at or near a point called the "narrows," above the town of Palisade. The exact location of such bridge shall be determined by the commission mentioned in the succeeding section.

Said bridge may be located and constructed with a view to conducting, water for irrigation purposes, the control of which shall be vested in the board of county commissioners of Mesa County, Provided all additional expense caused thereby shall be borne by said County;

Provided, In case there is no money in said funds to meet said appropriation or any part thereof, at the time of payment for said work, the state treasurer is hereby authorized and directed to pay the warrants drawn by the auditor of state for the amount herein appropriated, with valid state warrants invested in either or both of said funds; said warrants so invested to be received by the contractor of said work at par, with accrued interest thereon, in full payment of the contract price of said work, or any

Appropriation.

Located with view  
to conducting  
water.If no money in  
fund—how paid.

part thereof, for the payment of which there may be no money in said funds.

Board of  
construction.

Sec. 2. The governor and the state engineer of this State, with the chairman of the board of county commissioners of Mesa County, shall be and hereby are made a board for the purpose of locating and constructing such bridge.

Advertise for  
plans.

Sec. 3. It is hereby made the duty of said board as soon as act takes effect, to advertise for and secure plans and specifications for the construction of said bridge.

Advertise for bids.

Sec. 4. Upon the adoption of proper plans and specifications for a wagon bridge, as aforesaid, it shall be the duty of such board to advertise for bids in accordance therewith, and thereupon they shall let the contract to the lowest bidder.

If appropriation  
insufficient then  
no part to be  
expended.

Provided, That if the board shall determine after examination and survey, that the bridge provided for in this act cannot be constructed with the amount of money herein appropriated, then in such case no part of such appropriation shall be expended except so much thereof as may be necessary to defray the expenses which may have been incurred by the board in making the necessary examination and surveys, unless the board of county commissioners of said Mesa County, or other responsible parties, shall agree to furnish the amount required in excess of this appropriation, and shall furnish to the commissioners herein established satisfactory evidence that such money will be forthcoming on demand of such commissioners on the completion of said bridge

Public highway.

Sec. 5. Said bridge, when constructed, shall be a public highway and free to the use of all persons.

County keep in  
repair.

Sec. 6. When constructed, it shall be the duty of the county of Mesa to keep said bridge in repair at its own expense.

Auditor draw  
warrants.

Sec. 7. Upon the completion of said bridge according to contract, the auditor of state is hereby authorized to draw warrants for the amount appro-

priated by section 1 of this act, or so much thereof as may be necessary for the purpose of paying the amount due on said contract.

Sec. 8. In case the work shall not have been commenced during the years 1895 or 1896, or in the event of a balance remaining to the credit of said appropriation, the money so appropriated or the balance thereof, as the case may be, shall be covered back into the fund from which it was taken. Balance covered back.

Approved April 25, 1895.

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## CHAPTER 15.

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### APPROPRIATION—BRIDGE IN MORGAN COUNTY.

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(H. B. 277, by Mr. Wilkins.)

## AN ACT

TO PROVIDE FOR THE CONSTRUCTION OF A STATE BRIDGE ACROSS THE SOUTH PLATTE RIVER, IN MORGAN COUNTY, AT OR NEAR THE TOWN OF ORCHARD; AND TO APPROPRIATE MONEY FOR THE PAYMENT OF SAME.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of any money in the State treasury belonging to the internal improvement permanent fund, the sum of three thousand dollars (\$3,000), or so much thereof as may be necessary, for the purpose of constructing a State bridge across the South Platte river, in Morgan County, at or near the town of Orchard; the exact location of such bridge shall be determined by the commission mentioned in section two (2) of this Act. Appropriation.

Sec. 2. The governor, the State engineer and the chairman of the board of county commissioners of Morgan county, shall be and hereby are made a board for the purpose of locating and constructing such bridge. Board of construction.

**Advertise for plans**      Sec. 3. It is hereby made the duty of said board, as soon as this act takes effect, to advertise for and secure plans and specifications for the construction of such bridge.

**Advertise for bids.**      Sec. 4. Upon the adoption of proper plans and specifications for the construction of a wagon bridge, as aforesaid, it shall be the duty of such board to advertise for bids in accordance therewith, and thereupon they shall let the contract thereof to the lowest responsible bidder.

**Public highway.**      Sec. 5. Such State bridge, when constructed, shall be a public highway, and free to the use of all persons.

**County keep in repair.**      Sec. 6. When constructed, it shall be the duty of the county of Morgan to keep such bridge in repair at its own expense.

**Auditor draw warrants.**      Sec. 7. Upon the completion of said bridge according to contract, the auditor of the State is hereby authorized and directed to draw warrants for the amount appropriated by section one (1) of this act, or so much thereof as may be necessary, for the purpose of paying the amount due on said contract.

**If appropriation insufficient then no part to be expended.**      Sec. 8. Provided, That if the commission provided for in section two (2) of this act shall determine, after examination and survey, that the sum appropriated in section one (1) of this act, together with such donations as may be made from other sources, are insufficient to construct and complete said bridge, then no part of the appropriation mentioned in section one (1) of this act shall be expended, except so much as may be necessary to pay for the examination and survey.

**Emergency.**      Sec. 9. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 23, 1895.

## CHAPTER 16.

## APPROPRIATION—BRIDGE IN PROWERS COUNTY.

(S. B. 235, by Senator Swink.)

## AN ACT

FOR THE CONSTRUCTION OF A BRIDGE ACROSS THE ARKANSAS RIVER IN PROWERS COUNTY, ON THE WEST LINE OF RANGE FORTY-FOUR (44); AND TO APPROPRIATE MONEY FOR THE PAYMENT OF THE SAME.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of any money in the state treasury belonging to the internal improvement, permanent or income fund, the sum of five thousand (\$5000) dollars, or so much thereof as may be necessary, for the purpose of constructing a state bridge across the Arkansas river in Prowers county, on the west line of range forty-four (44). The exact location of said bridge shall be determined by the commission mentioned in the succeeding section.

Sec. 2. The governor and the state engineer of this state, with the chairman of the board of county commissioners of Prowers county, shall be and hereby are made a board for the purpose of locating and constructing such bridge.

Board of construction.

Sec. 3. It is hereby made the duty of said board, as soon as this act takes effect, to advertise for and secure plans and specifications for the construction of said bridge.

Board advertise for plans, etc.

Sec. 4. Upon the adoption of proper plans and specifications for the construction of a wagon bridge, as aforesaid, it shall be the duty of such board to advertise for bids, in accordance therewith, and thereupon they shall let the contract to the lowest responsible bidder; Provided, That if, on making a survey and estimate of the construction of said bridge, it is

Advertise for bids.

Let contract.

If appropriation  
insufficient no part  
to be expended.

found that the amount herein appropriated is not sufficient to complete said bridge, then no part of said appropriation shall be used unless the board of county commissioners or other responsible parties of said Prowers county shall agree to furnish the amount required in excess of this appropriation, and shall furnish to this board satisfactory evidence that such money shall be forthcoming on demand of such board, or the contractor or contractors, on completion of said bridge; and, Provided, further, That said board shall require good and sufficient bond from the party or parties contracting in the aggregate sum of ten thousand (\$10.000) dollars for the completion of the work in accordance with the contract or contracts.

Bond.

Public highway.

Sec. 5. Such state bridge, when constructed, shall be a public highway, and free to the use of all persons.

County keep in  
repair.

Sec. 6. When constructed, it shall be the duty of the county of Prowers to keep such bridge in repair at its own expense.

Auditor draw  
warrants.

Sec. 7. Upon the completion of said bridge, according to contract, the auditor of state is hereby authorized to draw warrants for the amount appropriated by section one (1) of this act, or so much thereof as may be necessary, for the purpose of paying the amount due on said contract.

Emergency.

Sec. 8. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 26, 1895.



## CHAPTER 17.

## APPROPRIATION—CAPITOL BUILDING.

(S. B. 242, by Senator Leddy.)

## AN ACT

MAKING AN APPROPRIATION FOR THE COMPLETION OF THE STATE CAPITOL BUILDING OF THE STATE OF COLORADO, AND FOR THE PURPOSE OF LAYING OUT, ORNAMENTS AND BEAUTIFYING THE CAPITOL GROUNDS, FIXING THE TOTAL AMOUNT THAT MAY BE EXPENDED THEREFOR, LIMITING THE TIME WITHIN WHICH THE SAME SHALL BE COMPLETED, PROVIDING FOR THE USE OF COLORADO MARBLE THEREIN, AND AUTHORIZING THE ISSUANCE OF CERTIFICATES OF INDEBTEDNESS IN PAYMENT FOR LABOR AND MATERIAL USED IN THE CONSTRUCTION THEREOF, AND MAKING AN APPROPRIATION FOR THE MAINTENANCE AND SUPPORT OF SAID CAPITOL BUILDING FOR THE FISCAL YEARS OF 1895 AND 1896.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of any moneys in the treasury, being funds created by levy or otherwise, for the construction of the State capitol building, and from such other funds as make part of what is known and styled as the "capitol building fund", and not otherwise appropriated, the sum of two hundred thousand (200,000) dollars, which said amount, added to moneys heretofore appropriated for the construction of said capitol building, brings such appropriations, for the construction of said capitol building to the total sum of two million four hundred and fifty thousand (2,450,000) dollars; said appropriation being rendered necessary in order to enable the board of capitol managers to use the product of Colorado marble quarries in the construction and finishing of that portion of the building wherein marble is to be used. And it is hereby further provided, that the board of capitol managers shall complete the said building by the first day of January, 1897, and as much sooner than such time as the character of work and their ability to realize appropriations made

Appropriation.

Use Colorado marble.

Complete building by January 1, 1897.

therefor, and to procure material necessary, produced in Colorado, for that purpose, renders it practicable.

Auditor issue  
certificates of  
indebtedness

Sec. 2. The auditor of state is hereby authorized and directed to issue certificates of indebtedness for all claims duly audited and certified by the board of capitol managers for material furnished and labor performed in and about the erection and construction of said building, where there are no funds in the treasury at the time of the issuance thereof, to meet the same; said certificates of indebtedness to be payable out of the capitol building fund and out of the moneys appropriated for the erection and completion of said capitol building.

Certificates  
countersigned by  
treasurer.

Interest.

Certificates not to  
exceed  
appropriation.

The faith and credit of the State of Colorado is hereby pledged for the payment of interest and principal of this indebtedness; and it is further Provided, That the said certificates of indebtedness shall be presented to the state treasurer, who shall thereupon countersign and endorse the same as bearing interest at the rate of 6 per cent. per annum from the date of the presentation to the date of payment thereof; but in no event shall the certificates be in excess of the appropriations made for the construction and completion of said building.

Certificates—  
how paid.

Interest cease.

Sec. 3. On the tenth day of each and every month, if there be funds in the treasury to pay any certificates of indebtedness provided for in the foregoing section, the treasurer of state is hereby required and directed to give notice by advertisement in a newspaper published in the city of Denver, designating the certificate by number, in the order of their presentation to the state treasurer and endorsed thereon, which the funds in the treasurer will pay. At the expiration of thirty days from the date of the last insertion, interest on the certificates so named as being payable shall cease.

Appropriation for  
grounds.

Sec. 4. That for the purpose of laying out, ornamenting and beautifying the grounds of the capitol building of the State of Colorado, there is hereby

appropriated out of the Capitol Building Fund the sum of forty thousand (40,000) dollars, or so much thereof as may be necessary.

Sec. 5. For the maintenance and support of the State capitol building of the State of Colorado, for the furnishing of heat, light, water, janitor service, etc., for the fiscal year of 1895, or that part of 1895 not already provided for, and for the fiscal year of 1896, there is hereby appropriated out of the Capitol Building Fund the sum of fifty thousand (50,000) dollars, or so much thereof as may be necessary. The care and control of said building shall be with the Board of Capitol Managers for the two years aforesaid. Appropriation for maintenance and support.

Sec. 6. All acts and parts of acts inconsistent with the provisions hereof are hereby repealed. Repeal.

Sec. 7. In the opinion of the General Assembly an emergency exists with regard to the matters provided for in this bill; and, therefore, this act shall take effect and be in force from and after its passage. Emergency.

Approved March 30, 1895.

## CHAPTER 18.

### APPROPRIATION—CHARITIES AND CORRECTIONS.

(S. B. 419, by Senator Merritt.)

## AN ACT

TO MAKE AN APPROPRIATION FOR THE PAYMENT OF THE SALARY OF THE SECRETARY AND OTHER EXPENSES OF THE STATE BOARD OF CHARITIES AND CORRECTIONS FOR THE YEARS 1895 AND 1896 AND FOR DEFICIENCY OF 1894.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of the general revenue fund the sum of three thousand (3000) dollars for the year 1895 and three thousand (3000) dollars for the year 1896, for the purpose of paying the salary of the secretary and other expenses Appropriation.

of the state board of charities and corrections and for deficiency of 1894.

Emergency.

Sec. 2. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect from and after its passage.

Approved April 8, 1895.

## CHAPTER 19.

### APPROPRIATION—DAIRY COMMISSIONER.

(H. B. 214, by Mr. Randall.)

## AN ACT

TO CREATE THE OFFICE OF STATE DAIRY COMMISSIONER AND TO DEFINE HIS DUTIES; AND TO REGULATE THE MANUFACTURE AND SALE OF ALL PRODUCTS OF THE DAIRY AND ALL IMITATIONS THEREOF; AND TO PROVIDE THE PENALTY FOR VIOLATIONS THEREOF; AND MAKING APPROPRIATIONS THEREFOR, AND TO REPEAL AN ACT ENTITLED AN ACT TO REGULATE THE MANUFACTURE AND SALE OF OLEOMARGARINE, CREATING THE OFFICE OF STATE DAIRY COMMISSIONER AND DEFINING HIS DUTIES, AND MAKING APPROPRIATION THEREFOR. APPROVED APRIL 12TH 1893, AND ALL ACTS AND PARTS OF ACTS INCONSISTENT WITH THE PROVISIONS OF THIS ACT.

*Be it enacted by the General Assembly of the State of Colorado:*

Governor appoint.

Title.

Term two years.

Salary.

Section 1. The governor by and with the advice and consent of the Senate, shall appoint a Commissioner, who shall be a practical dairyman, actually engaged in the business and who shall be at the time of his appointment and for at least one year preceeding his appointment Known as the Colorado State dairy Commissioner, who shall be a citizen of the State, and who shall hold his office for the term of two years, or until his successor is appointed and qualified; and who shall receive the sum of twelve hundred dollars (\$1200) per year, payable monthly; said commissioner shall be appointed within ten days after the passage of this act, and shall be charged, under the direction of the governor, with the enforce-

ment of the various provisions thereof; said Commissioner may be removed from office for cause, to be assigned by the governor, and his successor appointed as above provided for, Said commissioner shall make semi annual reports to the governor, not later than June 20 and December 20 of each year, of his work and proceedings; and the Secretary of State shall furnish said dairy commissioner with a proper office, office furniture and all stationery etc., necessary to the proper conduct of said office.

Governor remove for cause.

Semi-annual reports.

Secretary of state furnish office, etc.

Sec. 2. The said commissioner shall have the power to appoint a deputy, whose salary shall not exceed one thousand dollars (\$1000) per year, to be paid monthly. He is also authorized and empowered, by and with the consent and approval of the governor, to employ a practical chemist, who shall receive ten dollars (\$10) per day for each day necessarily engaged.

Commissioner appoint deputy.

Employ chemist.

Sec. 3. Said Commissioner and his deputy shall be entitled to their necessary and actual traveling expenses incurred in the discharge of their official duties, to be paid at the end of each calendar month upon duly certified and itemized bills, to be approved by the governor.

Traveling expenses.

Bills approved by governor.

Sec. 4. Every person, who by himself or by his agents or servants, shall render or manufacture, sell, offer for sale, expose for sale or have in their possession with intent to sell or use or serve to patrons, guests, boarders or inmates in any hotel, eating-house restaurant, public conveyance or boarding house or public or private hospital, asylum, school or eleemosynary or penal institution, any article, product, or compound made wholly or partly out of any fat, oil or oleaginous substance or compound thereof not produced directly and at the time of manufacture from unadulterated milk or cream from the same, which shall be in imitation of cheese or yellow butter produced from pure unadulterated milk or cream from the same; shall be deemed guilty of a

Manufacture or sell.

To whom.

**Misdemeanor.** misdemeanor and punished as hereinafter provided.  
**Proviso.** Provided, That nothing in this act shall be construed to prohibit the manufacture or sale of oleomargarine or filled cheese in a separate and distinct form, and in such manner as will advise the consumer of its real character, free from coloration or ingredient that causes it to look like cheese or yellow butter.

**Factory shall stamp cheese.** Sec. 5. Every person who shall at any cheese factory in the State, manufacture cheese and shall fail, at the factory where it was made, to distinctly and durably stamp on the bandage every such cheese, and on the box containing the same, in full faced capital letters, the grade of the same, as "Colorado full cream", "Skim", or "Imitation" cheese as hereinafter defined, shall be deemed guilty of a misdemeanor and punished as hereinafter provided.  
**Grade.** Brands and Stencils for stamping shall be procured of the State Dairy Commissioner.  
**Procure brands and stencils.**

**Dairy commissioner issue stencils on application.** Sec. 6. The State dairy commissioner is hereby authorized to issue to each cheese factory in the State, upon proper application therefor, uniform stencils or brands to be used as hereinafter provided, in Section 5 of this act. All cheese containing not less than 35 per cent, of butter fat in comparison with the total solids shall be branded "Colorado full cream cheese". All containing less than the above prescribed amount of fat, shall be branded "skim cheese". All cheese into which any foreign fats, or other oleaginous substance or substances or the fats from stale, ranced, foul or impure butter have been introduced shall be branded "imitation cheese".  
**How branded.**  
**Colorado full cream.**  
**Skim.**  
**Imitation.**

**Keep record of brands.** Sec. 7. The State dairy commissioner shall issue the brands provided for in section 6 upon proper application therefor, and shall keep a book in his office, which book shall contain a record of the number of each brand issued, and the names and location of the factory receiving the same; and no factory other than the one to which such brand is issued shall use the same.  
**Exclusive use of factory.**

Sec. 8. The Colorado dairy commissioner shall have power, in the discharge of the duties of his office, to examine under oath, or otherwise, any person whom he may believe has knowledge concerning the sale or use of imitations of butter or cheese; he is empowered to issue any subpoena requiring the appearance of witnesses and the production of books and papers, and administer oaths with like effect as is done in courts of law in this State; and it shall be the duty of any district court or the Judge thereof, or county court or Judge thereof, upon application by said commissioner, to issue an attachment for such witnesses, and compel him or them to attend before the commissioner and give testimony upon such matters as he or they shall be lawfully required by such commissioner; and said court or Judge shall have power to punish for contempt as in other cases of refusal to obey the order and process of the court.

Examine under oath.

Issue subpoena.

Judge issue attachment.

Judge power to punish for contempt.

Sec. 9. Inspectors of milk in cities and incorporated towns and the Colorado State dairy commissioner, or his deputy shall, and any other person who knows the facts may institute complaint before any justice of the peace, or county court, and the district attorney or his deputies shall file information in the district court, for the violation of the provisions of this act, whenever they have reasonable cause to believe that any of its provisions have been violated, and it shall be the duty of the district attorney or his deputies to prosecute any such complaints or informations to conviction in the courts where the same may have been instituted.

Inspectors.

Institute complaint.

Duties of district attorneys.

Sec. 10. It shall be the duty of said dairy commissioner or his deputies, or any inspectors of milk in cities to enter all places where they have good reason to believe that butter or cheese or imitations thereof may be stored or kept for sale, or kept for the purpose of being offered for the use of patrons or customers, and to take samples of suspected butter or cheese or the imitation thereof, and cause them

Storage of imitations.

Samples.

**Analysis.** to be analyzed, or otherwise satisfactorily tested, by a practical chemist, and such analysis or test shall be recorded and preserved as evidence; and the certificate of such result, sworn to by such chemist, shall be admitted in evidence in all prosecutions under this act; Provided, That the person accused may by subpoena compel the attendance in court of such chemist; the expense of such analysis or test to be determined by the court, not exceeding twenty dollars in any one case, may be included in the cost of such prosecution.

**Expense of Analysis.**

**Hinders or obstructs.** Sec. 11. Whoever hinders or obstructs or in any way interferes with the said dairy commissioner or his deputies, or with such inspectors of milk, in the performance of his or their duty, as aforesaid, shall be punished by a fine of fifty dollars for the first offense, and one hundred dollars for each subsequent offense, and stand committed to the county jail till such fine is paid, as provided by law.

**Fine.**

**Imprisonment.** Sec. 12. Whoever violates any of the provisions of sections 4 and 6 of this act shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, and shall stand committed to the county jail until such fine is paid, as provided by law, or by imprisonment in the county jail for a term not exceeding one year.

**Saving clause.** Sec. 13. This act shall not be construed to impair or prevent the prosecution and punishment of any violations of law existing at the time of its passage and committed prior to its taking effect.

**Fines paid into school fund.** Sec. 14. All fines imposed by this act, or by the authority thereof, shall be paid, when collected, into the general school fund of the county wherein the conviction shall be had.

**Appropriation.** Sec. 15. There is hereby appropriated out of any money in the State treasury, not otherwise appropriated, the sum of four thousand dollars (\$4,000), or so much thereof as may be necessary for the purpose of paying the salaries and expenses of the state



dairy commissioner, deputy dairy commissioner, as follows; For the salaries and expenses of said state dairy commissioner, deputy dairy commissioner for the year 1895, the sum of two thousand dollars (\$2000) for the salaries and expenses of said state dairy commissioner, deputy dairy commissioner, for the year 1896 the sum of two thousand dollars (\$2000)

For 1895.

For 1896.

Sec. 16. An act to regulate the manufacture and sale of oleomargarine, creating the office of state dairy commissioner and defining his duties and making an appropriation therefor, Approved April 12- 1893, and all acts inconsistent with the provisions of this act are hereby repealed. Repeal.

Sec. 17. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Sec. 18. In the opinion of the General Assembly an emergency exists; this act to take effect from and after its passage. Emergency.

Approved April 1, 1895.

## CHAPTER 20.

### APPROPRIATION—EXECUTIVE AND JUDICIAL DEPARTMENTS.

(H. B. 27, by Mr. Lowell.)

## AN ACT

TO PROVIDE FOR THE PAYMENT OF A PART OF THE SALARIES OF THE OFFICERS AND EMPLOYEES OF THE EXECUTIVE AND JUDICIAL DEPARTMENTS OF THE STATE OF COLORADO FOR THE YEAR 1895.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of any money in the treasury, not otherwise appropriated, for the purpose of paying a part of the salaries of the officers and employees of the Executive and Ju-

ditional departments of the State of Colorado for the fiscal year 1895, the sum of \$63,287.50 as follows:—

Governor's salary .....	1,250.00
Governor's private secretary.....	375.00
Lieutenant Governor's salary.....	250.00
Secretary of State's salary.....	750.00
Deputy Secretary of State.....	625.00
Secretary of State's Clerk fund...	1,250.00
Printing Clerk's salary.....	375.00
Auditor's salary .....	625.00
Deputy Auditor's salary.....	625.00
Auditor's Clerk fund.....	750.00
Treasurer's salary.....	1,500.00
Deputy Treasurer's salary.....	625.00
Treasurer's Clerk fund .....	375.00
Superintendent Public Instruction	750.00
Assistant State Librarian's salary	250.00
Attorney General's salary.....	750.00
Justices of Supreme Court.....	3,750.00
Baliff of the Supreme Court, salary .....	300.00
Clerk of the Supreme Court, salary .....	875.00
Deputy Clerk of Supreme Court, salary .....	375.00
Judges Court of Appeals (3), salaries .....	3,750.00
Clerk of Court of Appeals, salary..	750.00
Baliff of Court of Appeals, salary.	300.00
Stenographer Court of Appeals, salary .....	750.00
Supreme Court Stenographer's salary .....	750.00
Judges District Court (18), salaries .....	18,000.00
District Attorneys (13), salaries...	2,600.00
State Engineer's salary.....	750.00

Assistant State Engineer's salary	750.00
Inspector Coal Mines, salary, clerk hire and mileage.....	750.00
Assistant Inspector Coal Mines, salary .....	375.00
Inspector of Coal Mines for Clerk hire, salary .....	125.00
State Veterinary Surgeon's salary	375.00
State Veterinary Sanitary Board.	187.50
Register of Land Board, salary...	500.00
Deputy Register of Land Board, salary .....	375.00
Appraiser of Land Board, salary..	375.00
Land Commissioner's Clerk's sal- ary .....	600.00
Deputy Commissioner Labor, sal- ary .....	450.00
Deputy Commissioner Labor, ex- penses .....	375.00
Incidental and contingent ex- penses of Executive and Judicial Departments .....	4,750.00
Incidental printing required by the Executive and Judicial De- partments .....	3,125.00
For the State Board of Charities and Corrections .....	750.00
Expenses of the State Board of Land Commissioners .....	1,125.00
Incidental Expenses of the Attor- ney General's office .....	1,750.00
Incidental Expenses of the State Auditor .....	250.00
Incidental Expenses of the Secre- tary of State .....	750.00
Incidental Expenses of the State Treasurer .....	375.00

Incidental and Travelling Expenses of the Superintendent of Public Instruction .....	500.00
For the salary of State Dairy Commissioner, Assistant Dairy Commissioner and Chemist.....	600.00
Total .....	<u>\$63,287.50</u>

Appropriation for first three months of fiscal year.

Sec. 2. The above appropriations are intended to provide for the expenses of the several departments mentioned for the first three months of the present fiscal year, and the items thereof shall be the same as those mentioned in the general appropriation bill approved April 5th, 1893, only. And all unexpended balances remaining to the credit of any appropriation herein mentioned shall, when the bills have been paid, be transferred to the general fund.

Warrants issued directly to party owed.

Sec. 3. All warrants issued under the provisions of this act shall be made to the party to whom the State has become indebted, whether such party be an employee, clerk or assistant in any of the departments of the State, or one who has furnished materials and supplies, and warrants shall be issued and delivered to such persons directly.

Emergency.

Sec. 4. In the opinion of the General Assembly, an emergency exists: therefore, this act shall take effect and be in force from and after its passage.

Approved February 5, 1895.

## CHAPTER 21.

## APPROPRIATION—FISH COMMISSIONER.

(H. B. 464, by Mr. Campbell.)

## AN ACT

MAKING AN APPROPRIATION FOR THE PAYMENT OF THE SALARIES AND EXPENSES OF THE STATE FISH COMMISSIONER AND SUPERINTENDENT AND HIS ASSISTANTS.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That the sum of thirteen hundred dollars (\$1300.00) is hereby appropriated out of any of the moneys to the credit of the general revenue fund in the treasury, not otherwise appropriated, for the purpose of paying the salaries of the state fish commissioner and superintendent for the work at the state fish hatchery at Denver; for the salary of one assistant three hundred dollars (\$300.00) for the year ending November 30, 1895. And the further sum of sixteen hundred dollars (\$1600.00) is hereby appropriated for the above purposes for the year ending November 30, 1896.

Appropriation for salaries Denver hatchery.

## TWIN LAKES FISH HATCHERY.

Sec. 2. That the further sum of five hundred dollars (\$500) is hereby appropriated for the above purposes at the branch fish hatchery, located at Twin Lakes, Colorado, for the year ending November 30, 1895. And the further sum of five hundred dollars (\$500) is hereby appropriated for the above purposes for the year ending November 30, 1896.

Twin Lakes.

## GUNNISON FISH HATCHERY.

Sec. 3. That the further sum of five hundred dollars (\$500) is hereby appropriated for the above purposes at the Gunnison Fish hatchery for the year ending November 30, 1895. And the further sum of

Gunnison.

five hundred dollars is hereby appropriated for the above purposes for the year ending November 30. 1896.

LA PLATA FISH HATCHERY.

La Plata.

Sec. 4. That the further sum of one thousand dollars (\$1000.00) is hereby appropriated for the above purposes at the branch fish hatchery, located in La Plata county, Colorado, for the year ending November 30. 1895. And the further sum of one thousand dollars (\$1000) is hereby appropriated for the above purposes for the year ending November 30. 1896.

DOUGLAS COUNTY FISH HATCHERY.

Douglas County.

Sec. 5. That the further sum of one thousand and nine hundred dollars, (\$1,900) is hereby appropriated for the above purposes at the branch fish hatchery, located in Douglas County, Colorado, for the year ending November 30. 1895. And the further sum of one thousand and four hundred dollars (\$1,400) is hereby appropriated for the above purposes for the year ending November 30. 1896.

For contingent and incidental.

Sec. 6. For contingent and incidental expenses of the fish department, there is hereby appropriated out of the general fund the sum of five hundred (\$500) dollars for the year 1895, and five hundred (\$500) dollars for the year 1896.

Auditor draw warrants.

Sec. 7. The state treasurer shall pay all the amounts herein appropriated out of the moneys designated in section 1 of this act upon the warrants of the state auditor. The state auditor shall draw his warrants upon such appropriations upon the presentation by the state fish commissioner of vouchers approved by himself and the governor.

Emergency.

Sec. 8. In the opinion of the General Assembly an emergency exists; therefore, this act shall be in force and take effect from and after its passage.

Approved April 8, 1895.

## CHAPTER 22.

## APPROPRIATION—GAME WARDEN.

(H. B. 458, by Mr. Campbell.)

## AN ACT

MAKING AN APPROPRIATION FOR THE PAYMENT OF THE  
SALARIES AND EXPENSES OF THE STATE GAME WARDEN  
AND DEPUTY WARDENS.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That the sum of six hundred dollars (\$600) is hereby appropriated out of any moneys to the credit of the general revenue fund in the treasury, not otherwise appropriated, for the purpose of paying the salary of the state game warden, for the year ending December 31, 1895. And the further sum of six hundred dollars (\$600) is hereby appropriated for the same purpose for the year ending December 31, 1896.

Appropriation for  
salary of warden.

Sec. 2. For the purpose of paying the three deputy game wardens, there is hereby appropriated out of the general revenue fund the sum of thirty-six hundred (3,600) dollars for the year 1895, and the sum of thirty-six hundred (3,600) dollars for the year 1896.

For salary of  
deputy wardens.

Sec. 3. For traveling and contingent expenses of the game wardens, there is hereby appropriated out of the general fund the sum of two hundred (200) dollars for the year 1895, and the sum of two hundred (200) dollars for the year 1896.

For traveling  
expenses.

Sec. 4. The state treasurer shall pay the amounts herein appropriated upon the warrant of the auditor. The state auditor shall draw his warrants upon such appropriations upon the presentation by the state fish commissioner of vouchers approved by himself and the governor.

Auditor draw  
warrant.

Itemized accounts  
verified.

Sec. 5. No warrants shall be issued for the amounts to be paid to said Warden and Deputy Wardens by the Auditor of State until itemized accounts properly verified shall be presented by said persons to whom the warrant is to be issued.

Emergency.

Sec. 6. In the opinion of the General Assembly an emergency exists; therefore, this act shall be in force and take effect from and after its passage.

Approved April 8, 1895.

## CHAPTER 23.

### APPROPRIATION—GENERAL ASSEMBLY.

(H. B. 13, by Mr. Humphrey.)

## AN ACT

TO PROVIDE FOR THE PAYMENT OF A PART OF THE EXPENSES OF THE TENTH GENERAL ASSEMBLY OF THE STATE OF COLORADO.

*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation.

Section 1. There is hereby appropriated out of any money in the treasury, not otherwise appropriated, for the purpose of paying a part of the expenses of the Tenth General Assembly, the following amounts; For the per diem and mileage of members, the per diem of officers, clerks, and other employees, the sum of Seventy-five Thousand Dollars: for expenses incurred by committees and the contingent expenses ordered by either house, the sum of Twelve Thousand Dollars.

Per diem and  
mileage.

Committees and  
contingent  
expenses.

Emergency.

Sec. 2. In the opinion of this General Assembly an emergency exists, therefore this act shall take effect and be in force from and after its passage.

Approved January 17, 1895.



## CHAPTER 24.

## APPROPRIATION—HEALTH, STATE BOARD OF.

(S. B. 286, by Senator Hartzell.)

## AN ACT

MAKING AN APPROPRIATION FOR THE RELIEF OF THE  
STATE BOARD OF HEALTH, AND MAKING AN APPROPRIATION FOR THE SAID BOARD FOR 1895 AND 1896.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That there is hereby appropriated out of any funds in the treasury, not otherwise appropriated, the sum of two thousand eight hundred and eighty two dollars and ninety-six cents (\$2,882.96) for the use of the State board of health, the same to be used for the payment of the present indebtedness of the State board of health, said indebtedness having been incurred by reason of the failure of the appropriation made for the payment of such expenses by the Ninth General Assembly.

Appropriation for  
present  
indebtedness.

Sec. 2. There is hereby appropriated out of any funds in the treasury not otherwise appropriated, for the pay of the salary of the secretary and the contingent expenses of said board, for the years 1895 and 1896, the sum of twenty five hundred (\$2,500) dollars, the same to be drawn upon vouchers certified by the president and secretary of said board, one thousand two hundred and fifty (\$1,250) dollars for 1895 and one thousand two hundred and fifty (\$1,250) dollars for 1896.

Appropriation for  
1895-6.

Sec. 3. Whereas, In the opinion of the General Assembly an emergency exists; therefore, this act shall be in force and take effect from and after its passage.

Emergency.

Approved April 8, 1895.

## CHAPTER 25.

## APPROPRIATION—HISTORICAL SOCIETY.

(H. B. 456, by Mr. Rundle.)

## AN ACT

MAKING AN APPROPRIATION FOR THE STATE HISTORICAL  
AND NATURAL HISTORY SOCIETY OF COLORADO.*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation.

Section 1. There is hereby appropriated out of any moneys in the State treasury, not otherwise appropriated, the sum of five hundred dollars, or so much thereof as may be necessary, to enable the State Historical and Natural History Society of Colorado to remove its property to the room provided for it in the State Capitol, and properly place the same in permanent position therein.

Remove property  
to state capitol.Auditor issue  
warrant.

Sec. 2. Said money shall be paid by the State treasurer upon the warrant of the auditor of State, issued upon vouchers of said society, attested by the signatures of the president and secretary of said society.

Emergency.

Sec. 3. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 8, 1895.

## CHAPTER 26.

APPROPRIATION—HOME FOR DEPENDENT  
CHILDREN.

(S. B. 1, by Senator Merritt.)

## AN ACT

IN RELATION TO THE ESTABLISHMENT OF A STATE HOME  
FOR DEPENDENT AND NEGLECTED CHILDREN; AND  
MAKING AN APPROPRIATION THEREFOR.*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There shall be established in or near Denver, in this state, and maintained by the state, an institution which shall be known as the state home, and it shall be for a home for the children of sound mind and body under sixteen years of age who are dependent on the public for support.

Sec. 2. The general supervision and government of said home shall be vested in a board of control, to consist of five members, who shall be appointed by the governor; the members of which board shall hold their offices for the respective terms of, one for two, two for four, and two for six years, from the first Wednesday of April, 1895, and until their successors shall be appointed and qualified; no more than two of whom shall belong to the same political party, and at least two of whom shall be women; said respective terms of office to be designated in their respective appointments; and thereafter there shall be one member of said board appointed every six years, commencing first Wednesday in April, 1897, and two appointed every six years, commencing the first Wednesday in April, 1899, and two appointed every six years, commencing the first Wednesday in April, 1901, by the governor, whose term of office shall continue for six years, or until his or her successor is appointed and qualified. Whenever a vacancy shall

Known as the  
state home.Board of control  
appointed by the  
governor.Two of board to be  
women.

Term of office.

Vacancy.

occur in said board, by death, resignation, removal from the state, or otherwise, the governor shall fill the same by appointment for the remainder of the unexpired term, and the appointee shall hold only for the unexpired term of the person whose place he or she is appointed to fill. The members of said board of control shall constitute a body corporate, under the name and seal of the "Board of Control of the State Home," with the right of suing and being sued, and of making and using a common seal, and of altering it at pleasure. A majority of the board shall constitute a quorum for the transaction of any business lawful to be done by said board. Said board of control shall have the power of taking and holding by purchase, gift, donation, devise or bequest, real or personal estate, to be applied to the use of the school. Said board, before they enter upon the duties of their office, shall each take and subscribe the constitutional oath of office, and file the same in the office of the secretary of state.

Board elect a president and secretary.

Sec. 3. Said board shall elect from their own number, at their regular annual meeting in March, each year, a president and secretary, who shall hold their offices until their successors shall be elected and qualified. The state treasurer shall be ex-officio treasurer of said board. Such officers may hold their places during the pleasure of said board. It shall be the duty of the secretary of said board to render quarter yearly to the state auditor, accounts current of all cash transactions, and all moneys received, with the proper verified vouchers. All vouchers for the purchase of supplies, or other indebtedness of the school, shall be issued by the superintendent and countersigned by the president and secretary of the board of control. Upon the presentation of these vouchers, with accompanying bills in duplicate, properly verified, the auditor of state shall issue a warrant to the individual or party to whom the same is due, which shall be a sufficient warrant to the treasurer to issue check for same in favor of the claimant,

Secretary render a statement to state auditor.

Vouchers—how issued.

Auditor issue warrant.

out of any moneys in his charge, for the care and support of the home. Said board shall establish a system of government for said home, including all necessary regulations for the management and good order thereof, including the support and mental, moral and physical training of the children; for placing them in family houses, and for their supervision in such homes while they remain the wards of said board. The said board shall appoint an experienced person who shall have a practical knowledge of the best methods of providing for dependent and neglected children as a superintendent, who shall hold his office during their pleasure, and he shall appoint a matron or cottage managers, and such other officers and employes as the board shall prescribe; who shall severally hold their offices during the pleasure of said superintendent; and said board shall prescribe their duties and fix their salaries. The board of control shall meet regularly every four months at the home, on the third Wednesday in April, August and December, in each year, and at such other time and places as they shall deem advisable, to audit bills and transact all other necessary business.

System and management.

Place children in family houses.

Board appoint superintendent.

Superintendent appoint matron.

Duties and salaries.

Board shall meet to audit bills.

Sec. 4. Said board of control shall rent such quarters as may be necessary from time to time to carry out the provisions of this act.

Board rent quarters.

Sec. 5. The object of this act is to provide a temporary home for dependent and neglected children in said home, where they shall be retained only until they can be placed in family homes; Provided, that in the discretion of the board the child may be retained as long as its best interests may require in said home. There shall be received into said home those children who have been declared to be dependent on the public for support, as herein provided, and they shall be retained therein until they are sixteen years of age, unless they shall before that age be sent out as herein provided. The said board may, in their discretion, retain any children in said home after they shall be

Objects.

What children received into home.

Board the legal  
guardian of  
children.

come sixteen years of age, when they shall deem such course for the best interest of such children. The said board are hereby made the legal guardians of the persons and estates of all children admitted to said home pursuant to law; which guardianship shall continue during the minority of such children, except in the cases where, under this act, the guardianship may be cancelled by resolution adopted by said board.

Special care in  
placing children in  
homes.

Contract to  
remain.

Education of child.

Proper treatment.

Remuneration.

Wages.

Contract may be  
cancelled.

Within sixty days.

Earnings turned  
over to child.

Sec. 6. The said board are authorized, and it shall be the duty of said board of control, to use special diligence in placing the children admitted to said home in suitable family homes, which shall be approved as herein provided, on written contracts to remain until they are twenty-one years of age, or in the discretion of said board until they are eighteen years of age. Such contract shall provide for the education of the children in the public schools where they reside at least six months in each year; for teaching them some useful occupation; for kind and proper treatment as members of the families where placed, and for the payment on the termination of the contract, to said board, for the use and benefit of said children, such sum of money as shall be named in the contract; Provided, however, That in the discretion of said board, in the case of children not on indenture and over sixteen years of age, such contract may provide only for wages to be paid to the child or to said board for the benefit of the child and for kind and proper treatment. Every such contract shall contain a clause reserving the right to said board to cancel the same whenever they may deem that the interests of the child require it, and may also contain a clause authorizing the person taking the child to cancel the same at any time, within sixty days from the date of the contract, on returning the child to the home free of expense to said home. All moneys earned by said child or received from an indenture contract shall be turned over to said child when, for any reason, the guardianship of the board shall cease.

Sec. 7. Whenever any ward of said board who is not indentured has become self-supporting, the said board may, at their discretion, so declare the fact by resolution, and thereupon said guardianship shall cease and the child shall thereafter be entitled to its own earnings. Whenever one or both of the parents of any ward of said board, who is not indentured, have become able to support the child and educate it, the child may by resolution adopted by said board be restored to its parents, in which case the suitability of the home shall be certified in the manner herein provided for placing children on indenture, and thereupon the guardianship of said board shall cease. The said board are authorized to return to the counties from which they were sent the following classes of children:

Self-supporting.

Parents, when able to support.

Guardianship cease.

Classes to be returned to own counties.

First—Those who have become sixteen years of age, and who for any reason cannot be placed or retained in a family home.

Sixteen years of age.

Second—Those who by reason of vicious habits or incorrigibility cannot be placed or retained in family homes.

Incorrigibility.

Third—Those who, in the opinion of said board, based on the certificate of the physician of said home, are of unsound mind or body, or who have some serious physical disability which prevents their being placed in family homes or learning trades. Whenever any child shall be ordered by said board to be returned to its county, as herein provided, the guardianship of said board shall cease, and the child shall thereupon again become a charge on the county from which it was sent; and the superintendent of said home, in returning any child to its county, shall report in writing to the County Commissioner of the proper county the action of said board and the reasons therefor.

Unsound mind.

Child become a charge of the county.

Superintendent report to county commissioners.

Sec. 8. The board of control, or superintendent of the state home, is hereby authorized to consent to the adoption of any child who shall become an inmate

Board consent to adoption.

of said home, with the consent of the county agent of the state board of charities and corrections or the board of county visitors of the county wherein the person wishing to adopt such child resides, by any person or persons pursuant to the provisions of an act entitled "An act concerning the adoption of children, being division No. 1 of chapter 26, Mills' Annotated Statutes of Colorado," and that on such adoption the said board shall cease to be the guardian of the child so adopted.

Guardianship  
cease.

Sec. 9. The said board are authorized to designate some officer, teacher or other employee of said home to be the agent thereof, who shall be known as the agent of the state home, and who shall act in that capacity during the pleasure of said board. His duties as such agent shall be prescribed by said board, and shall include visiting at such times as said board shall direct said children in families on indenture, and reporting to said board the condition of such children, and any failure to comply with the terms of the indenture contracts. It shall also be the duty of said agent to find suitable homes for the children of said home, to investigate the condition of the homes of applicants for children, and to enter into contracts in writing, when so authorized by said board on behalf of said board, with the persons taking such children. The bills for salary and necessary traveling expenses of said agent shall be first sworn to by said agent and examined and allowed by said board, as in this act provided, and shall then be audited by the state auditor and paid from the general fund.

Agent.

Duties.

Report to board.

Investigate  
condition of  
homes.

Salary of agent.

Expenses.

County  
commissioners.

File petition in  
county court.

Sec. 10. Whenever the County Commissioners of any county shall find in their County any child under sixteen years of age, who, in the opinion of said board, is dependent on the public for support, or who is neglected or maltreated, or whose environments are such as to warrant the state assuming the guardianship of said child, and is sound in mind and body, they shall file a petition in the county court of their county, signed by at least two of their number,



wherein they shall state that, in their opinion, the child named is dependent on the public for support, is under sixteen years of age, is sound in mind and body, and has no parent against whom its support can be enforced as provided by law. They shall also therein give the names, residence and occupation of the parents, guardian or adult relative, or either, so far as they are able, whether either is dead or has abandoned the child, requesting therein an examination and determination by said court, as to such alleged dependence; and should the child be found by said court to be dependent on the public for support, that an order be entered, sending it to the state home. Upon the filing of such petition, if it shall appear therein that one or both of said parents reside in said county, the judge of said court shall issue a citation fixing the time and place for the hearing of such petition, which shall be served on one or both of said parents, guardian or adult relative, if either can be found in said county, not less than two days before the time fixed for said hearing, requiring them to appear on said day and hour and show cause, if any, why said child should not be declared by said court to be dependent on the public for support and sent to the state home. In case it shall appear by such petition that neither of said parents are living, or do not reside in said county, or in case one or both of said parents, guardian or adult relative shall endorse on said petition a request that the child be sent to said home as, requested therein, then the citation herein provided for need not be issued, and the court may thereupon proceed to the examination herein provided for. It shall be the duty of the officer receiving such citation to use due diligence to find and serve the same on one or both of said parents, guardian or adult relative, who shall represent such child in court; and in case there is neither of these found, then the court shall appoint some resident tax payer of said county to represent said child in court. In

Name of parents.

Determination by court.

Order.

Judge issue citation.

If neither parents are living.

If living, shall endorse petition.

Duty of officer.

Court appoint representative for child.

Judge explain  
effect on parental  
rights.

Parents no right to  
earnings of child.

Court investigate  
facts.

If child found  
dependent, cause  
thereof.

Duty of county  
attorney.

Any friend of  
child may appear.

Record of  
proceedings, what  
shall show.

case one or both of the parents of the children appear in court, it shall be the duty of the county judge to explain to the one so appearing the effect on their parental rights of an order of the court sending their child to the state home; and if one or both of said parents shall endorse the petition, as herein provided, such endorsements shall contain a clause stating that the county judge has fully explained to them that if their child is sent to the state home they will thereafter have no rights over or to the custody, service or earnings of said child, as provided in section 12 of this act.

Sec. 11. That on such examination the child shall be brought before said court by said county commissioners, whereupon it shall be the duty of said court to investigate the facts and ascertain whether said child is dependent on the public for support; its residence, and as far as possible the whereabouts of the parents, guardian or adult relatives; when and how long the child has been maintained, in whole or in part, by public or private charity; the occupation of the parents, if living; whether they are supported by the public or have abandoned the child; and to ascertain, as far as possible, if the child is found dependent, the causes thereof. The said court is authorized to compel the attendance of witnesses on such examination; and it shall be the duty of the county attorney of the county, when requested by said court, to appear in any such examination in behalf of the petition. Any friend of said child may appear in said court in its behalf, and the court may cite any local officer to appear in behalf of the child; yet it shall not be necessary to issue any citation or other notice to other than the parents, guardian or adult relative. The record of the proceedings shall show who, if any one, appeared in behalf of the child on such examination; and in the case of the appearance in court of one or both of the parents, guardian or adult relative of said child, that the court made the explanation to them, as provided in section 10 of this act.

Sec. 12. That if, on such examination, the said court shall find that the said child comes under the provisions of section 10 of this act, it shall enter such finding by a proper order in the records of the county court, certifying that the child is dependent on the public for support or is neglected or maltreated, or has not a suitable home, as provided in section 10, and is entitled to admission to the state home, and ordering that it be sent to said home by the county commissioners and admitted therein; and shall deliver to the said county commissioners a certified copy of such order, which shall contain, besides said findings, a statement of the facts that are herein required to be inquired into, so far as they have been ascertained; and that said county commissioners shall deliver such copy with said child at said home, to the superintendent thereof, as soon as practicable after the making of such order. That upon entering such order, the parents or guardians of said child shall be released from all parental duties towards and responsibility for such child, and shall thereafter have no rights over or to the custody, services or earnings of such child, except in cases where said board may, as herein provided, restore the child to its parents.

Court enter findings.

Entitled to Admission.

Court deliver to county commissioners certified copy of order.

Parents released from responsibility.

Sec. 13. That whenever, on the examination provided for in this act, the county court shall determine that the child comes under the provisions of section 10, it shall cause it to be examined by the county physician, if there be one, and if not, then by a reputable practicing physician, and shall in no case enter the order in its Journal, showing the child is admissible to this home, unless the physician making such examination shall certify in writing, under oath, filed in said court, that the child examined by him is, in his opinion, of sound mind, and has no chronic or contagious disease, and, in his opinion, has not been exposed to any contagious disease within fifteen days previous to such examination before the judge of the county court; that a copy of such certificate shall be attached to the other papers required by this

Child examined by county physician.

Physician certify under oath.

Copy of certificate.

Fee.

act to accompany each child to this home; and if there be no county physician a fee of two dollars for each child so examined by order of the court shall be allowed the physician, payable out of the county treasury upon the certificate of the clerk of the court.

Home receive all children committed.

Proviso.

Sec. 14. The state home shall receive all children committed to it pursuant to this act; Provided, That the superintendent of said home, being authorized by resolution of said board, shall endorse on the petition of the county commissioners, herein provided for, his certificate that there is room in the home for the admission of the child, and that the home fund is sufficient to provide for its support while therein. Whenever there are more admissible children in the several counties than can be received in said home, it shall be the duty of the superintendent of said home to divide such admission pro rata among the counties, according to the number of dependent children in each at the time of such admission, giving preference to counties of the same or larger population that have had less admitted into said home. Whenever the county commissioners of any county shall be informed by the superintendent of said home that any dependent children from their county can be admitted into said home, it shall be their duty to forward them to said home, as provided in this act, as soon as practicable; and it shall be unlawful for the county commissioners of any county to retain and support in their county any child admissible by law to said home after such notification. The expense of transportation of children to said home, pursuant to law, and the expenses of returning any of said children to their counties, after their admission by said board, as improper inmates of said home, shall be audited by the board of control and state auditor and paid from the general fund by the state treasurer on warrants drawn by the auditor.

Divide admission pro rata.

Inform county commissioners that children can be admitted.

Unlawful for commissioners to retain child after notice.

Expense of transporting children to home.

Board obtain information from children in homes.

Sec. 15. It shall be the duty of said board to obtain information as often as practicable, from all the children placed in families from this home,

and to secure, as far as possible, the education and good treatment of such children and the full performance of indenture contracts. It shall be the duty of said board to procure written reports concerning such children at least once in each three months, one of which shall be from the person to whom the child is indentured, one from the agent of said home, or from the county commissioners for the county where the child resides, or the agent of the state board of charities and correction, or from the board of county visitors, the superintendent of said home to notify the officer he desires to visit the child and make the report. If it shall appear to said board by such report, or from any other source, that the child visited is neglected or ill-treated, or is not being educated by the person with whom it is placed, or that the person having such child is unfit to have the care thereof, the said board, or the superintendent of said home, who may be authorized so to do by the said board, shall cancel the contract and cause the child to be returned to said home or removed directly into some other home; and notice thereof shall be given to the county commissioners of the county from whence it came.

Board obtain written reports every three months.

Who shall make reports.

If child is neglected.

Cancel contract.

Child returned to home.

Sec. 16. Any person desiring to take a child from said home by indenture or adoption may apply for that purpose, in writing, in such form as said board shall prescribe, to the superintendent or agent of said home, or to the county commissioners of the county where the applicant resides. That either of said officers who shall receive such application, other than the superintendent, shall investigate the same, and report in writing to the superintendent, in such form as said board shall prescribe, the facts ascertained, and whether, in his opinion, the applicant is a proper person to have the care and education of the child; and no child from said home shall be placed in a home on trial or by indenture or adoption, unless the same shall be approved by the superintendent, agent or board of county visitors of said home, or by the

Application for indenture or adoption.

Investigate and report.

Applicant a proper person.

Who approve.

To whom child  
shall not be  
indentured.

Superintendent  
shall remove child.

County  
commissioners  
visit children in  
homes.

Report to  
superintendent.

If ill-treated.

Preserve legal  
papers.

History of child.

Board keep record  
of all homeless  
children.

county commissioners of the county, or by the agent of the state board of charities and correction where the applicant resides; but no child shall be indentured, adopted or placed in a home, any member of which is engaged in the liquor traffic or any immoral pursuits. In case it shall be found at any time, after the adoption or indenture of any child, that such person has become engaged in the liquor traffic or any immoral pursuits, it shall be the duty of the superintendent to immediately remove such child from such home as soon as it comes to his knowledge. It shall be the duty of the agent of said home or the county commissioners, in their respective counties, to visit the children of said home in families on indenture, at such times as they may be requested so to do by the superintendent of said home, and only at such times; and shall then inquire into the management, condition and treatment of such children; and shall, as soon as practicable, report to the superintendent of said home the facts ascertained, showing whether the indenture contracts are being faithfully executed; and whenever it shall come to the knowledge of any officer so authorized to make such visits, that any child of this home in a family, on trial or on indenture, is being ill-treated, he shall immediately investigate the case and report the facts as aforesaid.

Sec. 17. It shall be the duty of said board to preserve in said home all legal papers, reports and other valuable papers relating to each child, and shall provide and keep suitable record books, in which shall be entered, during the time of the guardianship of said board, a brief history of each child, showing its name, age, county, residence, when received, indentured or adopted; the names, occupation, habits and character of the parents, so far as they can be ascertained; and the name, residence and occupation of the person who has taken the child by indenture or adoption. It shall be the duty of said board to keep a full and complete record, as far as possible, of all

homeless and neglected children in the state of Colorado, with a description of the same, including all children heretofore adopted by any charitable organization or society in this state, together with a record of all applications for the adoption of children; which record shall be open to inspection only in the discretion of the said board. The board shall gather statistics with reference to approved methods for the care and protection of neglected and dependent children, and make an annual report to the state Board of Charities and Corrections of the work, with such recommendations as experience may suggest. It shall be the duty of the superintendent to seek out homeless children and childless homes, and aid in bringing the two together in so far as he may be able so to do with the means at his disposal. And he shall investigate such cases of abuse of children as may come under his notice or be reported to him, and it shall be his duty to take such steps as may be necessary and proper under the laws of the state, to fully protect any such child.

Record of applications.

Board gather statistics of approved methods for care of children.

Superintendent investigate cases of abuse.

Sec. 18. That the sum of five thousand (\$5,000) dollars for the year 1895, and five thousand (\$5,000) dollars for the year 1896, is hereby appropriated from any money in the treasury not otherwise appropriated, for the purpose of carrying into effect the provisions of this act; and the same may be drawn by said board as needed for the purposes of this act by warrants on the state treasurer, to be issued as provided in section 3 of this act; which warrants, when properly issued as above and presented to the state treasurer, shall be immediately paid by said treasurer out of any funds in his hands for the purposes of this act.

Appropriation.

State treasurer pays warrants.

Sec. 19. The Board of control is hereby prohibited from creating any debt against the state home, or from incurring any expense beyond its ability to pay from the appropriations made therefor, except as herein provided. The members of the board of control shall receive no compensation.

Board shall not contract any debt.

Emergency.

Sec. 20. Whereas, in the opinion of the General Assembly an emergency exists; now, therefore, it is hereby declared that this act shall take effect and be in force from and after its passage.

Approved April 10, 1895.

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## CHAPTER 27.

### APPROPRIATION—HORTICULTURE, STATE BOARD OF.

(S. B. 166, by Senator Brown.)

## AN ACT

FOR THE RELIEF OF THE COLORADO STATE BOARD OF HORTICULTURE.

*Be it enacted by the General Assembly of the State of Colorado:*

Auditor draw  
warrant.

Section 1. That the state auditor be and is hereby authorized and directed to draw his warrant on the state treasurer in favor of the Colorado state board of horticulture for the sum of eight hundred and forty-three dollars and forty-five cents (\$843.45), in payment of vouchers now in the hands of the state auditor, for services rendered and expenses incurred by the Colorado state board of horticulture.

Appropriation.

Sec. 2. That the sum of eight hundred and forty-three dollars and forty-five cents (\$843.45) is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for the payment of the warrant authorized by this act.

Emergency.

Sec. 3. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 9, 1895



CHAPTER 28.

APPROPRIATION—INAUGURAL EXPENSES.

(S. B. 125, by Senator Hartzell.)

AN ACT

MAKING AN APPROPRIATION FOR THE PAYMENT OF THE  
EXPENSES FOR THE INAUGURATION OF STATE OFFICERS  
ON JANUARY 8, 1895.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of  
any funds in the treasury not otherwise appropriated,  
the sum of two hundred and seventy-one dollars  
(\$271.), for the purpose of paying the expenses con-  
nected with the inauguration ceremonies on January  
8, 1895.

Appropriation.

Sec. 2. The auditor of State is hereby directed  
to draw his warrants upon the State treasurer, paya-  
ble to the following named persons, and in the follow-  
ing amounts:

Auditor draw warrants.

Tabor Grand Opera House . . . .	\$120.00	
C. R. Gallup . . . . .	40.00	
Smith-Brooks Printing Company . .	6.00	Amounts.
Denver Omnibus and Carriage Com- pany . . . . .	105.00	

Sec. 3. Whereas, in the opinion of the General  
Assembly, an emergency exists; therefore, this act  
shall be in force and take effect from and after its  
passage.

Emergency.

Approved March 5, 1895.

## CHAPTER 29.

## APPROPRIATION—INDUSTRIAL SCHOOL.

(H. B. 108, by Mr. Morris.)

## AN ACT

MAKING APPROPRIATIONS FOR THE SUPPORT AND MAINTENANCE OF THE STATE INDUSTRIAL SCHOOL AT GOLDEN FOR THE TWO YEARS ENDING NOVEMBER 30, 1896; AND FOR THE PURPOSE OF ERECTING ONE ADDITIONAL WING ON THE HOSPITAL BUILDING, COMPLETING SEWER, MAKING CERTAIN REPAIRS AND IMPROVEMENTS, AND THE ERECTION OF A NEW BARN.

*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation.

Section 1. That for the general support and maintenance of the State industrial school at Golden for the two years ending November 30, 1896, including salaries of officers and employes, repairs of old machinery and purchase of new machinery, building walks and roadways, grading the grounds, buying stock for farm and school uses, building new fences and repairing fences, repairs on buildings and miscellaneous expenses, there is hereby appropriated out of any money in the State treasury, not otherwise appropriated, the sum of sixty thousand dollars (\$60,000), together with the cash receipts of the institution for the two years aforesaid.

Also cash receipts.

Appropriation for sewer.

Sec. 2. That for the purpose of purchasing material and completing the sewer, there is appropriated out of any money in the internal improvement income fund, not otherwise appropriated, the sum of three thousand five hundred dollars (\$3,500), or so much thereof as may be necessary.

For insurance.

Sec. 3. That for the purpose of insuring the buildings and furniture of the said institution, there is appropriated out of any money in the internal improvement income fund, not otherwise appropriated, the sum of one thousand dollars (\$1,000), or so much

thereof as may be necessary; Provided, That in case of loss or damage by fire the amount realized therefrom be placed to the credit of the State industrial school, to be used for the erection of new buildings and repairing the damage done.

Sec. 4. That for the purchase of material and <sup>For barn.</sup> building a new barn, there is appropriated out of any money in the internal improvement income fund not otherwise appropriated, the sum of five hundred dollars (\$500.), or so much thereof as may be necessary.

Sec. 5. That each of the several sums specified shall be used exclusively for the purpose for which it is appropriated. The auditor of State, upon certified <sup>Auditor draw warrants.</sup> vouchers of the board of control of the State industrial school, shall draw his warrants upon the State treasury in payment of the moneys hereby appropriated.

Sec. 6. Whereas, In the opinion of the General <sup>Emergency.</sup> Assembly an emergency requiring the immediate effect and operation of this act exists; therefore, this act shall have full force and effect from and after its passage.

Approved April 15, 1895.

## CHAPTER 30.

### APPROPRIATION—INSANE ASYLUM.

(S. B. 59, by Senator Gordon.)

## AN ACT

TO MAKE AN APPROPRIATION FOR THE COMPLETION OF THE COTTAGE FOR THE MALE PATIENTS AT THE INSANE ASYLUM.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of <sup>Appropriation.</sup> any moneys in the state treasury not otherwise appropriated the sum of six thousand five hundred

(6500) dollars for the completion of the cottage for male patients at the insane asylum.

Auditor draw  
warrants.

Sec. 2. That all moneys herein appropriated shall be expended under the direction and control of the superintendent and commissioners of said asylum, and paid by warrants drawn by the state auditor, upon vouchers certified by the president of the board of commissioners, and attested by the secretary thereof.

Emergency.

Sec. 3. In the opinion of the General Assembly an emergency exists; therefore, this act shall be in force and take effect from and after its passage.

Approved April 9, 1895.

## CHAPTER 31.

### APPROPRIATION—INSANE ASYLUM.

(H. B. 44, by Mr. Allee.)

## AN ACT

MAKING APPROPRIATIONS FOR THE SUPPORT AND MAINTENANCE OF THE STATE INSANE ASYLUM; AND FOR THE PAYMENT OF THE SALARIES OF THE OFFICERS AND EMPLOYEES THEREOF.

*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation for  
support and  
maintenance.

Section 1. That for the general support and maintenance of the State Insane Asylum including the salaries of officers and employes of the institution there is hereby appropriated out of any moneys in the treasury not otherwise appropriated, the sum of six thousand dollars (\$6000) for the year 1895 and eight thousand dollars (\$8000) for the year 1896.

Furnish cottage.

Sec. 2. That for the purpose of furnishing the unfinished cottage for male patients, and furnishing the same there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of two thousand dollars (\$2000).

Purchase new  
boiler, etc.

Sec. 3. That for the purpose of purchasing a new boiler and annex to the old boiler, and raising

the smoke stack of the male department, there is hereby appropriated out of moneys in the state treasury not otherwise appropriated the sum of two thousand five hundred dollars (\$2,500).

Sec. 4. That for the purpose of purchasing furniture for the asylum, to replace worn out furniture, there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of one thousand dollars (\$1000). Furniture for asylum.

Sec. 5. That all moneys appropriated by this act shall be expended under the direction and control of the superintendent and commissioners of said asylum. Expended under direction of superintendent.

Sec. 6. That each of the sums above specified shall be used exclusively for the respective purposes for which they are hereby appropriated, and the state auditor is hereby authorized and directed to draw his warrants for the payment of the same upon vouchers certified by the president of the board of commissioners and attested by the secretary thereof. Auditor draw warrants.

Sec. 7. In the opinion of this General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage. Emergency.

Approved April 9, 1895.

## CHAPTER 32.

## APPROPRIATION—LOCO OR POISON WEED.

(H. B. 267, by Mr. Sopris.)

## AN ACT

PROVIDING FOR THE REDEMPTION AND PAYMENT OF OUTSTANDING CERTIFICATES ISSUED FOR PREMIUM ON LOCO OR POISON WEED, IN PURSUANCE OF AN ACT OF THE GENERAL ASSEMBLY OF COLORADO, ENTITLED, "AN ACT CONCERNING LOCO OR POISON WEED," APPROVED MARCH 14, 1881, AND MAKING AN APPROPRIATION THEREFOR.

*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation.

Outstanding  
certificates.

Section 1. There is hereby appropriated out of any money in the treasury, not otherwise appropriated from the general fund, the sum of seven thousand and five hundred dollars (\$7,500), or so much thereof as may be necessary to pay outstanding certificates for premiums on loco or poison weed, issued in pursuance of an act of the General Assembly of the State of Colorado, entitled "An Act concerning loco or poison weed", approved March 14, 1881.

Auditor draw  
warrant.

Sec. 2. Upon presentation and surrender to the auditor of state by the owner and holder thereof, any certificate or certificates of premiums due on loco or poison weed, and issued in pursuance of an act of the General Assembly of the State of Colorado, entitled "An Act concerning loco or poison weed," approved March 14, 1881, the said auditor of state is hereby directed to draw a warrant upon the state treasurer in favor of the owner and holder of said certificate or certificates for the amount of premiums due, as set forth in said certificate or certificates.

Emergency.

Sec. 3. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 8, 1895.

## CHAPTER 33.

### APPROPRIATION—MOSCA PASS TOLL ROAD.

(H. B. 129, by Mr. Salazar.)

## AN ACT

TO APPROPRIATE THIRTY FIVE HUNDRED DOLLARS (\$3500.)  
FOR THE PURPOSE OF PURCHASING THE MOSCA PASS  
TOLL ROAD.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of any money in the State internal improvement permanent fund, the sum of Thirty five hundred dollars (\$3500.) for the purpose of purchasing the Mosca pass toll road. Appropriation.

Sec. 2. Said road, when purchased, shall be a public highway and free to all persons. Public highway.

Sec. 3. Said road shall be kept in repair, respectively, by the counties of Huerfano and Costilla, each county to keep that portion of it in repair lying within its own boundaries. Keep in repair.

Sec. 4. Upon presentation and surrender to the auditor of state of a good and valid deed for said road by The Mosca Pass Toll Road Company, the auditor of state is hereby directed to draw a warrant upon the state treasurer for the sum of Thirty five hundred dollars (\$3500) in favor of The Mosca Pass Toll Road Company. Auditor draw warrant.

Sec. 5. It is the opinion of the General Assembly that an emergency exists; therefore, this act shall be in force and take effect from and after its passage. Emergency.

Approved May 1, 1895.

## CHAPTER 34.

## APPROPRIATION—MUTE AND BLIND INSTITUTE.

(H. B. 15, by Mr. Humphrey.)

## AN ACT

MAKING AN APPROPRIATION FOR THE COMPLETION OF CERTAIN BUILDINGS, GRADING AND PAVING OF WALKS AND GROUNDS AND MAKING AN APPROPRIATION FOR INSURANCE, ECT., AND PAYING A DEFICIT IN THE FINANCES OF THE STATE INSTITUTE FOR THE EDUCATION OF THE MUTE AND BLIND.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That, for the purpose of completing buildings, for grading and paving of walks and grounds, and providing for additional furniture in said buildings, and for the payment of insurance of same; also to provide for the payment of a deficit in the finances of the institution for the education of the mute and blind of the state of Colorado; there shall be and hereby is appropriated out of the General fund any money which may hereafter be credited to said fund, and not otherwise appropriated, the sum of twenty thousand dollars (20.000).

Appropriation for completion of building, etc.

Sec. 2. That all moneys appropriated by this act shall be expended under the direction of the board of trustees of said institution.

Direction of the trustees.

Sec. 3. The auditor, upon the order of the board of said institution, countersigned by the secretary of said board, shall draw his warrants upon the state treasurer, for the moneys hereby appropriated, in favor of the treasurer of said board of trustees.

Auditor draw warrants.

Sec. 4. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Emergency.

Approved April 9, 1895.



## CHAPTER 35.

### APPROPRIATION—NATIONAL GUARD, CERTIFICATES.

(S. B. 353, by Senator Kennedy.)

## AN ACT

TO PROVIDE FOR THE PAYMENT OF THE CERTIFICATES OF INDEBTEDNESS ISSUED TO THE NATIONAL GUARD FOR SERVICES PERFORMED.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated, out of <sup>Appropriation.</sup> any money derived from the proceeds of any bonds that may be issued and sold for the purpose of providing a fund to pay for suppressing insurrection, the sum of twenty eight thousand nine hundred (28,900) dollars for the purpose of paying certificates of indebtedness issued to the officers and men of the national guard of the State of Colorado, for services rendered in pursuance of orders issued by the governor of <sup>For services rendered.</sup> the State, acting as commander in chief of the military forces of the State, during the year 1894.

Sec. 2. Upon the passage of this act the auditor shall issue his warrants upon said certificates <sup>Auditor issue warrants.</sup> of indebtedness, and in accordance with law the treasurer shall pay the same out of any moneys in said fund in his hands and not otherwise appropriated.

Sec. 3. In the opinion of the General Assembly <sup>Emergency.</sup> an emergency exists; this act shall be in force from and after its passage.

Approved April 8, 1895.

## CHAPTER 36.

## APPROPRIATION—NATIONAL GUARD, SUPPLIES.

(S. B. 381, by Senator Kennedy.)

## AN ACT

TO PROVIDE FOR THE PAYMENT OF CERTIFICATES OF INDEBTEDNESS ISSUED FOR SUPPLIES FURNISHED TO THE NATIONAL GUARD DURING THE TERM OF SERVICE OF SAID GUARD, BY ORDER OF THE GOVERNOR, IN EL PASO COUNTY, DURING THE YEAR A. D. 1894.

*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation. Section 1. The sum of thirty-five thousand (\$35,000) dollars, or so much thereof as may be necessary, is hereby appropriated from the proceeds of any bonds that may be issued and sold for the purpose of providing a fund to pay for suppressing insurrection and to pay the certificates of indebtedness issued in payment of supplies furnished to the national guard, in the year A. D. 1894, while in the field in El Paso County, Colorado.

For supplies  
furnished.

Auditor draw  
warrant.

Sec. 2. The auditor of State is hereby authorized to draw a warrant on the said fund for the payment of said certificates.

Emergency.

Sec. 3. Whereas, an emergency exists; therefore, this act shall take effect and be in force from and after its passage and approval.

Approved April 9, 1895.

## CHAPTER 37.

### APPROPRIATION—NORMAL SCHOOL.

(H. B. 192, by Mr. Johnson.)

## AN ACT

TO APPROPRIATE MONEY FOR THE ERECTION AND COMPLETION OF SUITABLE BUILDINGS FOR THE USE OF THE STATE NORMAL SCHOOL OF COLORADO.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of any money in the internal improvement income fund not otherwise appropriated the sum of ten thousand dollars, (\$10,000) for the completion of a building for the use of the state normal school. The auditor of state shall draw his warrant for the said amount upon said fund in favor of the treasurer of the state normal school, to be expended by and under the direction of the board of trustees of the state normal school.

Appropriation.  
Auditor draw warrant.

Sec. 2. Whereas, In the opinion of the General Assembly an emergency exists, therefore, this act shall be in force and take effect from and after its passage.

Emergency.

Approved April 10, 1895.

## CHAPTER 38.

## APPROPRIATION—NORMAL SCHOOL.

(S. B. 409, by Senator Merritt.)

## AN ACT

MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE STATE NORMAL SCHOOL OF COLORADO AT GREELEY FOR THE YEARS 1895 AND 1896, AND FOR SUCCEEDING YEARS.

*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation for  
year 1895.

Section 1. For the maintenance and support of the State normal school of the State of Colorado for the fiscal year of 1895 there is hereby appropriated the sum of twenty-nine thousand five hundred (29,500) dollars from the fund accruing to the state treasury from the assessment of 1894 for 3-20 of a mill levied by the State board of equalization and set apart for the maintenance and support of said State normal school.

For year 1896.

Sec. 2. There is hereby appropriated for the year 1896, and annually thereafter, for the support and maintenance of the State normal School of Colorado, and out of and as a part of the annual levy, assessment and collection of taxes for general State purposes, the proceeds and amounts derived and collected pro-rata upon one-sixth of one mill on each dollar of the assessed annual valuation of the taxable property of the State; and it shall be the duty of the State board of equalization and other officers whose duty it is to make such levy and assessment for general State purposes, to extend and assess said appropriation of one-sixth of one mill as above provided, in a separate column or account upon all assessment rolls and books used in the levy, assessment and collection of taxes for State purposes.

Board of equaliza-  
tion make levy.

Sec. 3. It shall be the duty of every county treasurer in the State to keep separate accounts of all money so collected in pursuance of this act, and to transmit the same to the State treasurer monthly as a separate fund, for the exclusive use of said institution, and the State auditor shall, upon the order of the president of the board of trustees of such institution, countersigned by the secretary, draw his warrant upon said fund in favor of the treasurer of said institution. The taxes so collected and paid to the treasurer of said institution shall be applied exclusively to the support, use and benefit of said institution, for the payment of salaries and expenses thereof, and the erection, maintenance and completion of such buildings as shall be determined upon by the board of trustees of said institution.

County treasurer  
keep account.

Auditor draw  
warrant.

Sec. 4. The board of trustees of said institution shall elect a treasurer, who shall hold his office at the pleasure of said board. Said treasurer shall keep a true account of all moneys received and paid out by him, and shall pay all warrants duly signed by the president and countersigned by the secretary of said board in the order of their presentation, and before entering upon the duties of his office as treasurer he shall take and subscribe an oath that he will faithfully perform the duties of treasurer, and shall also give a bond in the penal sum of not less than twenty-five thousand (25,000) dollars, conditioned for the faithful discharge of his duties as treasurer, and that at all times he will keep and render a true account of all moneys and other valuables received by him as such treasurer and of the disposition he has made of the same, and that he will at all times be ready to discharge himself of the trust and to deliver up, when requested by said board, all moneys, notes, bonds and other valuables entrusted to him; which bond shall have two or more good securities, and shall be approved as to its form and the sufficiency of its sureties by the board of trustees and the secretary.

Board elect  
treasurer.

Oath and bond of.

Bond—who  
approve.

of State, who shall endorse their approval on the same; and it shall be filed in the office of the Secretary of State. No member of the board of trustees of said institution shall be eligible to the office of treasurer.

No member of  
board eligible for  
treasurer.

Repeal.

Sec. 5. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed.

Emergency.

Sec. 6. Whereas, in the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 9, 1895.

## CHAPTER 39.

### APPROPRIATION—PENITENTIARY.

(S. B. 4, by Senator Johnson.)

## AN ACT

MAKING APPROPRIATIONS FOR THE MAINTENANCE AND SUPPORT OF THE PENITENTIARY FOR THE YEARS 1895 AND 1896; AND TO FINISH FEMALE CELL HOUSE AND ELECTRIC LIGHT PLANT; AND TO PURCHASE STEAM WASHER AND WRINGER, FIRE HOSE AND CART, AND FOR GENERAL REPAIRS IN PRISON; AND FOR THE GENERAL EXPENSES OF THE LIME KILNS, QUARRIES AND BRICK YARDS.

*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation.

Section 1. That there be and hereby is appropriated out of any moneys in the state treasury not otherwise appropriated, for the years 1895 and 1896, commencing December 1, 1894, and ending November 30, 1896, the sum of one hundred and seventy thousand (\$170,000.) dollars or so much thereof as shall be necessary, to be expended, as follows:

For salaries and  
incidental  
expenses.

For the maintenance, support and incidental expenses of the penitentiary, including the salaries of

the officers and employes, and the expenses of the lime kilns, quarries, brick yards and garden work.

Sec. 2. There is hereby further appropriated Appropriation. out of any moneys in the state treasury, not otherwise appropriated, the sum of five thousand (\$5,000.) dollars, to be expended as follows:

To finish electric light plant, three thousand How expended. (\$3,000) dollars; to purchase steam washer and wringer, one thousand (\$1,000) dollars; to purchase fire hose and cart, five hundred (\$500) dollars; for general repairs in prison, five hundred (\$500.) dollars.

Sec. 3. To finish female cell house, two thousand five hundred (\$2500) dollars, which sum is hereby appropriated from the Internal Improvement Income fund.

Sec. 4. The said appropriations shall be used exclusively for the purpose aforesaid, and the warden Warden shall keep separate accounts. of the penitentiary is hereby required to open and keep an account with each item of the appropriations, and the auditor is hereby authorized to draw warrants for the payment of the same, upon vouchers certified by the president of the board of commissioners and attested by the secretary thereof.

Sec. 5. In the opinion of the General Assembly Emergency. an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 10, 1895.

## CHAPTER 40.

## APPROPRIATION—REFORMATORY.

(H. B. 161, by Mr. Tomkins.)

## AN ACT

APPROPRIATING FUNDS FROM THE PENITENTIARY LAND PERMANENT FUND AND GENERAL FUND AND PENITENTIARY LAND INCOME FUND FOR THE COMPLETION AND FURNISHING OF BUILDINGS FOR THE STATE REFORMATORY AT BUENA VISTA; AND FOR OTHER PURPOSES HEREIN SPECIFIED.

*Be it enacted by the General Assembly of the State of Colorado:*

Erection of cell  
house, etc.

Appropriation.

Tools and power  
for work shop.

Appropriation.

Emergency.

Section 1. That for the purpose of completing the erection of a cell house, work shop, steam heating, sewer and water connections, at the state reformatory there is hereby appropriated out of moneys belonging to the penitentiary permanent fund or the penitentiary income fund the sum of ten thousand dollars (\$10,000).

Sec. 2. That for the purpose of purchasing necessary tools and power for said work shop at said reformatory, that there is hereby appropriated out of any moneys in the state treasury belonging to the penitentiary permanent fund or the penitentiary income fund, not otherwise appropriated, the sum of six thousand dollars (\$6,000), or as much thereof as may be necessary.

Sec. 3. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 9, 1895.



## CHAPTER 41.

## APPROPRIATION—REFORMATORY.

(H. B. 146, by Mr. Tomkins.)

## AN ACT

CONCERNING THE STATE REFORMATORY; AND MAKING APPROPRIATIONS THEREFOR.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That for the general support and maintenance of the State reformatory, including the salaries of officers and employees of the institution, there is hereby appropriated out of any moneys in the State treasury not otherwise appropriated, the sum of forty five thousand dollars for the two years commencing December 1, 1894, and ending November 30, 1896.

Maintenance and support.

Appropriation.

Sec. 2. Said appropriation shall be used exclusively for the purpose aforesaid, and the auditor is hereby authorized to draw warrants for the payment of the same upon vouchers certified by the president of the board of commissioners, and attested by the secretary thereof.

Auditor draw warrants.

Sec. 3. In the opinion of the General Assembly, an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Emergency.

Approved April 8, 1895.

## CHAPTER 42.

## APPROPRIATION—ROBINSON, J. H., ET AL.

(S. B. 279, by Senator Boyd.)

## AN ACT

FOR THE RELIEF OF J. H. ROBINSON, J. H. NEWCOMB, L. D. OLIVETT, M. L. BRUNER, H. G. DENNESTON, R. A. SOUTHWORTH AND C. B. CRAMER, FOR WORK DONE AND MONEYS EXPENDED UPON THE TWIN LAKES RESERVOIR, UNDER THE DIRECTION OF "THE BOARD OF CONTROL OF STATE CANAL NUMBER ONE AND RESERVOIRS CONNECTED THEREWITH" AND TO MAKE AN APPROPRIATION THEREFOR.

*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation.

Section 1. That there is hereby appropriated out of any moneys in the internal improvement permanent fund, the sum of nineteen hundred and fifty-four dollars and ninety-eight cents (\$1,954.98), for the purpose of paying the sums due, respectively, to J. H. Robinson, J. H. Newcomb, L. D. Olivett, M. L. Bruner, H. G. Denneston, R. A. Southworth and C. B. Cramer, for work done and moneys expended on the Twin Lakes Reservoir.

Sec. 2. The state auditor is directed to draw his warrant in favor of said

Amounts.

J. H. Robinson for the sum of . . .	\$733.25
J. H. Newcomb for the sum of . . .	\$293.05
L. D. Olivett for the sum of . . .	\$389.05
M. L. Bruner for the sum of . . .	\$419.58
R. A. Southworth for the sum of . . .	\$ 65.45
H. G. Denneston for the sum of . . .	\$ 21.00
C. B. Cramer for the sum of . . .	\$ 33.60

Treasurer shall pay.

The state treasurer shall pay said warrants forthwith, upon presentation, out of the said moneys hereby appropriated.

Sec. 3. Whereas, In the opinion of the General <sup>Emergency.</sup> Assembly an emergency exists; Therefore, this act shall take effect and be in force from and after its passage.

Approved April 23, 1895.

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## CHAPTER 43.

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### APPROPRIATION—SCHOOL OF MINES.

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(H. B. 18, by Mr. Morris.)

## AN ACT

TO PROVIDE FOR THE IMPROVEMENT OF THE GROUNDS OF THE STATE SCHOOL OF MINES AND MAKING AN APPROPRIATION THEREFOR.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That, for the purpose of improving <sup>Appropriation.</sup> the grounds belonging to and used by the state school of mines, there shall be and is hereby appropriated out of the internal improvement income fund the sum of five thousand dollars (\$5000.) or so much thereof as may be necessary.

Sec. 2. That all moneys appropriated by this act shall be expended under the direction and control of the board of trustees of the state school of mines, the auditor of state to draw his warrant or warrants <sup>Auditor draw warrants.</sup> upon the order or orders of the said board of trustees, signed by the president thereof and countersigned by the secretary.

Sec. 3. That in the opinion of this General As- <sup>Emergency.</sup> ssembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 10, 1895.

## CHAPTER 44.

## APPROPRIATION—SOLDIERS' AND SAILORS' HOME.

(S. B. 187, by Senator Hartzell.)

## AN ACT

TO PROVIDE FOR THE GOVERNMENT OF THE SOLDIERS' AND SAILORS' HOME, TO MAKE AN APPROPRIATION THEREFOR, AND TO REPEAL AN ACT TO ESTABLISH THE SOLDIERS' AND SAILORS' HOME, APPROVED MARCH 15, 1889, THE SAME BEING SECTIONS 4103, 4104, 4105, 4106, 4107, AND 4108 OF MILLS' ANNOTATED STATUTES; AND A BILL FOR AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO ESTABLISH THE SOLDIERS' AND SAILORS' HOME, APPROVED MARCH 15, 1889, APPROVED APRIL 12, 1893; AND ALL ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. The government of the Soldiers' and Sailors' home shall be vested in a commission of three persons, citizens of the State, to be appointed by the Governor, with the consent of the Senate. The commander of the Grand Army of the Republic of Colorado and Wyoming, when a citizen of this State and a resident therein, shall be ex-officio a member of such board of commissioners, and the governor, by the Secretary of State, shall issue his commission as such upon receipt of a certificate of election as such department commander. At least two members of said commission shall be honorably discharged soldiers, sailors or marines; Provided, that the present members of the said commission shall hold their office for the term of their appointment.

Sec. 2. The members of said commission shall hold their office for the term of four years, and shall serve without compensation, except they shall be entitled to their actual expenses incurred in the transaction of any business by and under the direction of the board of commissioners, to be paid upon a sworn statement as other expenses of the home are paid.

Commission  
appointed by the  
governor.

Present members  
hold office.

Term of office.

Compensation.

They shall hold their meetings quarterly at the home, Meetings.  
and may hold such other meetings as may be deemed  
necessary by the President.

Sec. 3. Each commissioner shall, before enter-  
ing upon his duties, give a good and sufficient bond Bond approved by.  
in the penal sum of \$5,000, conditioned for the faith-  
ful discharge of the duties of his office; said bond  
shall be approved by the auditor and filed with Filed with  
Secretary of State. The State treasurer shall be secretary of state.  
ex-officio treasurer of the commission and shall hold State treasurer ex  
all moneys appropriated by the State, or received officio treasurer.  
from the general government, and pay the same out  
on warrant of the auditor.

Sec. 4. The Soldiers' and Sailors' home shall  
be maintained for the care and treatment of honor-  
ably discharged soldiers, sailors and marines who  
served in the Union Armies between the 12th day of Qualifications for  
April, 1861, and the 9th day of April, 1865, and those inmates.  
dependent upon them, who have been bona fide resi-  
dents of this State for at least one year next preced-  
ing their application for admission to said home; but  
no applicant who receives more than \$12 per month  
as pension shall be entitled to admission to the home  
except for hospital treatment.

Sec. 5. The commissioners shall biennially, at  
the April meeting, elect a president, secretary and Elect president,  
treasurer from their number. It shall be the duty of secretary and  
the treasurer to receive all donations and gifts to the treasurer.  
home, and to pay the same out upon order of the com- Duty of treasurer.  
missioners, keeping a record thereof. He shall give  
an additional bond in the penal sum of \$5,000, con- Bond of treasurer.  
ditioned for the faithful discharge of the duties of his  
office, and for the accounting and return of all moneys  
received by him, which bond shall be approved by Approved by.  
the state treasurer and filed with the Secretary of  
State.

Sec. 6. The commissioners shall appoint a com-  
mander, adjutant, commissary and quartermaster,  
physician and bookkeeper, and provide for the sal- Duties of officers  
and employees.

aries, and prescribe the duties of all officers and employes of the home.

Commander  
appoint.

The commander shall appoint all officers not herein specified, subject to the approval of the board of commissioners, and may remove them at his pleasure, reporting without delay his action in the premises and his reasons therefor to the board.

Commander live at  
the home.

The commander shall live at the home with his family, if he shall have a family, and devote his entire time to the duties of the home.

System of  
government.

Sec. 7. The commissioners shall prepare and carefully digest and mature a system of government for said home, embracing all such rules, regulations and general laws as they may deem necessary for preserving order, enforcing discipline and preserving the health of such disabled soldiers, sailors or marines, as may be received at the home, and to this end may make such rules governing the use and care of the pensions of all inmates as they may deem necessary.

Infraction of rules.

Sec. 8. Every pensioner residing in this home and accepting its benefits must turn over to the commander, upon receipt of his quarterly pension check, any sum in excess of \$5. per month so received, the sum to be held subject to such rules for the disposition of the same for the benefit of such inmate or his dependent relatives as may be provided by the commissioners; any infringement of this rule on the part of any inmate will be followed by his discharge from the home. In cases where improper use is made of the allowance of \$5. per month herein provided for, leading to misconduct or infractions of the rules of the home, the allowance so granted shall be suspended.

Purchase of  
supplies.

Sec. 9. All purchases of supplies for said home shall be by contract, entered into after due advertisement for at least four weeks in a paper published nearest the home, and for ten days in at least one daily paper published at the State Capitol; said publication to be made at least thirty days before the

time for letting said contract, and shall contain an estimate of all supplies needed for said home for the period of six months; the contract for furnishing such supplies shall be let to the lowest responsible bidder, all bids being filed in triplicate; one copy of the advertisement made of all bids furnished, and the accepted bid, shall be filed with the State auditor, and one with the Secretary of the State Board of charities and corrections, and one entered in full in the records of the home. Contract.

Sec. 10. All bills for expenses incurred by said commissioners shall be paid by warrant drawn by the State auditor upon the State treasurer; but no warrant shall be drawn except upon a voucher made to the person to whom such indebtedness is owing, who shall present itemized statements of every such amount in duplicate, one of which shall be kept at said home and the other filed with said voucher; all such vouchers shall be signed by the president of the commission, attested by the secretary and sworn to by the person to whom it is drawn, before a warrant for the amount is drawn. Auditor draw warrant.

Sec. 11. It shall be unlawful for any member of the board of commissioners to be interested, either directly or indirectly, in any contract for the furnishing of supplies, the erection of buildings, the improvements of the grounds or in any manner whatsoever with the care or maintenance of said home. Commissioners shall not be interested in contracts.

It shall also be unlawful for any member of said board or any officer thereof to appoint or have appointed to any position in said home any relative of said commissioner or his family. Whom not appoint to positions.

Sec. 12. The commissioners shall have the right, on behalf of the State, to accept donations of land or money, or other property or valuables; all titles to lands, and all improvements thereon, shall be vested in the State, and the title deeds thereto, and all insurance policies, certificates of water rights and other evidences of ownership to the lands, or improvements Accept donations.

of said home, shall be deposited with the secretary of State for the use of the board of commissioners.

Shall keep book  
of record.

Sec. 13. It shall be the duty of the commissioners to keep a set of books at the home, with a full and accurate account of all purchases and expenditures for the home, and a full record of the business of the commissioners, which books and record, as well as the home, shall at all times be open to the board of managers of the National Home for disabled volunteer soldiers, and the State board of charities and corrections, or their secretary.

Report to  
governor.

Contents of report.

Sec. 14. The commissioners of the home, by their president and secretary, shall, on or before the 15th day of December of each year, make a report to the governor, which shall contain a full and complete account of the work performed at the home; of all moneys received from all sources, and a detailed account of all moneys expended in the maintenance of the home in all respects; the names, places of birth, age and full record of service in the army, navy or marine, of all persons admitted to said home, and each person upon whose record any dependent may be admitted; last place of residence of every such person admitted; all deaths, discharges and removals from the home, with the causes thereof, and the names of all persons making donations to the home, with descriptions of the same.

Secretary of state  
provide office at  
capitol.

Sec. 15. The secretary of State shall provide an office for the commissioners at the State Capitol, and shall furnish the same and provide for them books and stationery sufficient to conduct the business of the home. The books to be kept at such office may be a duplicate of those kept at the home.

Appropriation for  
maintenance.

Sec. 16. There is hereby appropriated out of any moneys in the treasury not otherwise appropriated of the years 1895 and 1896, for maintenance and for payment of salaries of officers of the Soldiers' and Sailors' home for the year 1895 \$20,000 and for the year 1896 \$20,000.



Sec. 17. There is appropriated out of any <sup>Appropriation for improvements. |</sup> moneys in the internal improvement income fund the sum of \$5,000, for necessary improvements.

Sec. 18. All moneys hereby appropriated shall <sup>Appropriations how paid.</sup> be paid by the State treasurer upon warrant of the State auditor issued to the person to whom the indebtedness is owing, who shall file a certified statement of such indebtedness, which shall be attached to the vouchers drawn by the commissioners and filed with the State auditor.

Sec. 19. That sections 2, 3, 4, 5, 6 and 7 of an act to establish the Soldiers' and Sailors' home, approved March 15, 1889, the same being sections 4103, 4104, 4105, 4106, 4107 and 4108 of Mills Annotated Statutes, and a bill for an act to amend an act entitled "An act to establish the Soldiers' and Sailors' home, approved March 15, 1889," approved April 12, 1893, and all acts and parts of acts in conflict herewith, are hereby repealed. <sup>Repeal.</sup>

Sec. 20. In the opinion of the General Assembly <sup>Emergency.</sup> an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 10, 1895.

## CHAPTER 45.

APPROPRIATION—SPECIAL COMMITTEE OF HOLD  
OVER SENATORS.

(S. B. 150, by Senator Hartzell.)

## AN ACT

TO APPROPRIATE MONEY TO PAY THE PER DIEM AND EXPENSES OF THE SPECIAL COMMITTEE OF HOLD OVER SENATORS APPOINTED BY THE SENATE OF THE NINTH GENERAL ASSEMBLY TO INVESTIGATE AND REPORT TO THE TENTH GENERAL ASSEMBLY CONCERNING STATE CANALS AND RESERVOIRS.

*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation.

Section 1. There is hereby appropriated, out of any money in the treasury not otherwise appropriated, the sums of two hundred and thirteen dollars and fifteen cents (\$213.15) to David Boyd, one hundred and eighty-five dollars (\$185.00) to James G. Johnson, and one hundred and ninety-six dollars and thirty-five cents (\$196.35) to George W. Swink, the total being five hundred and ninety-four dollars and fifty cents (\$594.50), the same being for per diem and expenses as members of the committee of hold over Senators appointed at the extra Session of the Ninth General Assembly to investigate and report to the Tenth General Assembly concerning State canals and reservoirs in accordance with the provisions of Chapter 12 of extra Session laws of 1894.

Emergency.

Sec. 2. In the opinion of the General Assembly an emergency exists; and therefore this act shall be in force and take effect from and after its passage.

Approved March 5, 1895.

## CHAPTER 46.

### APPROPRIATION—STATE LIBRARY.

(S. B. 271, by Senator Adams.)

## AN ACT

TO APPROPRIATE MONEY FOR THE MAINTENANCE OF THE  
STATE LIBRARY, ETC.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. The sum of one thousand (1,000) dollars is hereby appropriated out of any money in the state treasury not otherwise appropriated, for the purpose of maintaining the state library for the years 1895 and 1896. Appropriation.

Sec. 2. The state auditor is hereby authorized to draw warrants upon the state treasurer for the payment of the appropriation herein provided. Auditor draw warrants.

Approved April 8, 1895.

## CHAPTER 47.

### APPROPRIATION—STOKES, STANLEY, ET AL.

(S. B. 205, by Senator Leddy.)

## AN ACT

APPROPRIATING MONEY TO PAY STANLEY STOKES, MAURICE HAYES, WILLARD STEELE, EDWARD PITKIN, THOMAS UZZELL, WILLIAM NORRID, LORRAINE STRYKER, OLIVE B. FRINK AND FRANCISCO RODRIGUEZ FOR SERVICES RENDERED IN THE OPENING DAYS OF THE SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE TENTH GENERAL ASSEMBLY.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. Whereas, Stanley Stokes served as secretary, Maurice Hayes as sergeant-at-arms, Willard Steele and Edward Pitkin as reading clerks,

Thomas Uzzell as chaplain, William Norrid as janitor of the cloak-room, Lorraine Stryker and Francisco Rodriguez as pages, and Olive B. Frink as matron of the ladies' gallery, in the opening days of the session of the Senate and House of Representatives of the Tenth General Assembly, and prior to its organization; there is hereby appropriated out of the general fund the sum of one hundred and thirty-six dollars (\$136.) for the payment of such services.

Appropriation.

Auditor draw warrants.

Sec. 2. The auditor of the state is hereby authorized to issue warrants in the following amounts:

To Stanley Stokes. . . . .	\$50.00
To Maurice Hayes 2 days . . . .	\$10.00
To Willard Steele 1 day . . . .	\$ 5.00
To Edward Pitkin 1 day . . . .	\$ 5.00
To Thomas Uzzell 2 days . . . .	\$ 6.00
To William Norrid 2 days . . . .	\$ 6.00
To Lorraine Stryker 2 days . . .	\$ 3.00
To Francisco Rodriguez 2 days . .	\$ 3.00
To Olive B. Frink 16 days . . . .	\$48.00

Emergency.

Sec. 3. In the opinion of the General Assembly an emergency exists; therefore this act shall be in force and take effect from and after its passage.

Approved April 8, 1895.

## CHAPTER 48.

### APPROPRIATION—THROCKMORTON, E. M.

(H. B. 321, by Mr. Lowell.)

## AN ACT

TO PROVIDE FOR THE PAYMENT OF SALARY OF E. M. THROCKMORTON, DEPUTY GAME AND FISH WARDEN, FIRST DISTRICT, FOR THE MONTHS OF NOVEMBER AND DECEMBER, 1892.

*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation.

Section 1. There is hereby appropriated the sum of ninety-eight dollars and thirty cents (\$98.30) out of any moneys in the treasury out of the revenue

of 1895 or 1896, not otherwise appropriated, to pay E. M. Throckmorton his salary as deputy game warden for the months of November and December, 1892.

Sec. 2. Whereas, In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage. Emergency.

Approved April 24, 1895.

## CHAPTER 49.

### APPROPRIATION—UNIVERSITY OF COLORADO.

(H. B. 152, by Mr. Minor.

## AN ACT

TO PROVIDE FOR THE SUPPORT OF THE UNIVERSITY OF COLORADO, AND MAKING APPROPRIATIONS THEREFOR.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. For the support and to properly sustain the rapid development and growing usefulness of the university, there shall be and is hereby appropriated out of any money in the State treasury, not otherwise appropriated, the sum of forty thousand dollars (\$40,000) for the years 1895 and 1896. Support and development.  
Appropriation.

Sec. 2. All moneys appropriated by this act shall be expended under the direction and control of the regents of the University of the State of Colorado. Money expended under control of regents.

Sec. 3. The auditor of State, upon the order of the board of regents of said institution, signed by its president and secretary, shall draw his warrant upon the State treasurer for the moneys hereby appropriated as said moneys may be expended. Auditor draw warrant.

Sec. 4. In the opinion of the General Assembly an emergency exists; therefore this act shall take effect and be in force from and after its passage. Emergency.

Approved April 8, 1895.

## CHAPTER 50.

APPROPRIATION—WAGON ROAD IN ARCHULETA  
COUNTY.

(S. B. 96, by Senator Adams.)

## AN ACT

TO CONSTRUCT A STATE WAGON ROAD FROM A POINT KNOWN AS JUANITA TO THE TOWN OF PAGOSA SPRINGS, IN ARCHULETA COUNTY, AND MAKING AN APPROPRIATION THEREFOR.

*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation.

Section 1. That the sum of five thousand dollars be and the same is hereby appropriated out of any moneys in the internal improvement, permanent or income fund not otherwise appropriated, for the purpose of constructing a wagon road from a point on the Denver & Rio Grande Railroad known as Juanita, to Pagosa Springs, in Archuleta County.

Commission to  
supervise  
construction.

Sec. 2. Said wagon road shall be constructed under the superintendence of the governor, the state engineer and the chairman of the board of county commissioners of Archuleta County, who shall constitute a commission for that purpose.

Auditor draw  
warrant.

Sec. 3. That the state auditor be and is hereby authorized and directed to draw his warrant on the state treasury for the sum of five thousand dollars (\$5000), or so much thereof as may be necessary, on the certificate of the state engineer that said wagon road has been constructed according to contract.

Board let contract.

Sec. 4. After the survey of the route of said road, and the establishing of the grade thereof, the board herein provided shall be a contract or contracts, for the construction of the same to the lowest bidder or bidders, provided that if, on making a survey and estimate of the construction of said wagon road, it is found that the amount herein appropriated is not sufficient to complete said road, then no part of said appropriation shall be used unless the board of

county commissioners, or other responsible parties of said Archuleta County, shall agree to furnish the amount required in excess of this appropriation, and shall furnish to this board satisfactory evidence that such money shall be forthcoming on demand of such board, or the contractor or contractors, on completion of said wagon road; and provided further, that said board shall require good and sufficient bonds from the party or the parties contracting, in the aggregate sum of ten thousand dollars for the completion of the work in accordance with the contract or contracts.

Sec. 5. That after said road is constructed, as aforesaid, the County of Archuleta shall be at the expense of maintaining and keeping said road in repair for the use of the public.

Sec. 6. Whereas in the opinion of the General Assembly an emergency exists; therefore, this act shall be in force and take effect from and after its passage.

Approved April 23, 1895.

## CHAPTER 51.

### APPROPRIATION—WAGON ROAD IN COSTILLA AND HUERFANO COUNTIES.

(H. B. 158, by Mr. Vigil.)

## AN ACT

TO CONSTRUCT A STATE WAGON ROAD FROM A POINT WHERE INDIAN CREEK JOINS THE SANGRE DE CRISTO CREEK, IN COSTILLA COUNTY, TO CONNECT WITH THE COUNTY WAGON ROAD IN HUERFANO COUNTY AT OR NEAR THE FOLLOWING POINT: NORTHEAST QUARTER, SOUTHEAST QUARTER, SECTION THREE, TOWNSHIP THIRTY, RANGE SIXTY-NINE WEST, AT A POINT SOUTH EIGHTY-FOUR DEGREES TEN MINUTES, WEST 3,150 FEET.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That the sum of three thousand dollars (3,000) or so much thereof as may be necessary be

## CHAPTER 52.

APPROPRIATION—WAGON ROAD IN GILPIN  
COUNTY.

(H. B. 291, by Mr. Mitchell.)

## AN ACT

TO PROVIDE FOR THE CONSTRUCTION OF A WAGON ROAD IN GILPIN COUNTY, FROM A POINT NEAR "MILLER'S HOUSE," ON NORTH CLEAR CREEK, TO PINE CREEK MINING CAMP, AND APPROPRIATING MONEY FOR THE PAYMENT OF THE SAME.

*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation.

Section 1. There is hereby appropriated out of any money in the State treasury belonging to the internal improvement income fund, or internal improvement permanent fund, the sum of four thousand (\$4,000) dollars, or so much thereof as may be necessary, for the purpose of constructing a wagon road over the most practical route, from a point near Miller's house in Gilpin County (where the county road turns to Missorisi lake), by following the present trail through Miller's ranch; thence along said Clear Creek over the most feasible route to the junction of Clear creek with Pine Creek; thence along said Pine creek over the most feasible route to the town of Apex or Pine City.

Route.

Board of construction.

Sec. 2. The governor of the State, the state engineer and the chairman of the board of county commissioners of Gilpin county shall be and are hereby constituted a board, to be designated as the board of construction, of which board the governor shall be chairman and the State engineer shall be secretary.

Survey.

Sec. 3. It shall be the duty of the board, as soon as may be after this act takes effect, to view the route of said proposed road, and cause a survey thereof to be made, and determine the grade thereof; the board



herein provided for shall let a contract for the construction of the same to the lowest bidder, and require a good and sufficient bond from the party or parties contracting, in the sum of four thousand (\$4,000) dollars, conditioned for the completion of the work in accordance with the contract and plans and specifications. Provided, That if the board shall determine, after examination and survey, that the road provided for in this act cannot be constructed with the amount of money herein appropriated, then in such case no part of such appropriation shall be expended, except so much thereof as may be necessary to defray the expenses which may have been incurred by the board in making the necessary examination and surveys, unless the board of County Commissioners of said Gilpin county, or other responsible parties, shall agree to furnish the amount required in excess of this appropriation, and shall furnish to the commission herein established, satisfactory evidence that such money will be forthcoming on demand of such commission on the completion of said road.

Board let contract.

Bond.

If appropriation insufficient no part to be used.

Sec. 4. When said work shall have been completed according to the contract, and accepted by the said board, the auditor of state is hereby authorized to draw warrants for the amount appropriated by section one (1) of this act, or so much thereof as may be necessary for the purpose of paying the amount due on said contract.

Auditor draw warrants.

Sec. 5. Such road, when constructed, shall be and remain so forever a public highway and free to the use of all persons.

Public highway.

Sec. 6. When constructed, it shall be the duty of the county of Gilpin to keep said road in repair at its own expense.

County keep road in repair.

Sec. 7. In the event of a balance remaining to the credit of said appropriation, the money so appropriated, or balance thereof, as the case may be, shall be recovered back into the fund from which it was taken.

Balance covered back.

Emergency.

Sec. 8. Whereas, In the opinion of the General Assembly an emergency exists; therefore, this act shall be in force from and after its passage.

Approved April 29, 1895.

## CHAPTER 53.

### APPROPRIATION—WAGON ROAD IN LARIMER AND ROUTT COUNTIES.

(S. B. 151, by Senator Evans.)

## AN ACT

TO CONSTRUCT A STATE WAGON ROAD FROM BELLVUE, LARIMER COUNTY, COLORADO, TO STEAMBOAT SPRINGS, ROUTT COUNTY, COLORADO, AND TO APPROPRIATE MONEY FOR THE PAYMENT OF THE SAME.

*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation.

Section 1. The sum of fifteen thousand dollars (\$15,000) be and the same is hereby appropriated out of any moneys in the internal improvement permanent or income fund, not otherwise appropriated, for the purpose of constructing a wagon road from Bellvue, in the County of Larimer, and state of Colorado, to Steamboat Springs, in the county of Routt and state of Colorado, upon the following described route, as near as practicable, towit:

Route.

Commencing at Bellvue, about eight miles west of Fort Collins, Colorado, thence running in a westerly direction along and near the valley of the Cache la Poudre river to the mouth of Roaring creek; thence in a north-westerly direction along and near the valley of Roaring creek to the Laramie river; thence in a westerly direction across the Medecine Bow range by the most practicable route until it connects with the first main traveled road running in a westerly direction in North Park, Larimer county, Colorado; thence in a westerly direction to the summit of the Continental divide and boundery line between Lari-

mer and Routt counties; thence in a southwesterly direction along and near the valley of Soda creek to Steamboat Springs, Routt county, Colorado.

Sec. 2. Said wagon road shall be surveyed under the supervision of the state engineer by a competent engineer, who shall be appointed by the commissioners of Larimer and Routt counties; all expenses of said survey to be paid by Larimer and Routt counties, each county to pay the expense of survey within its own territory.

State engineer supervise survey of route.

Expense of survey—how paid.

Sec. 3. Said wagon road shall be constructed under the superintendence of the Governor, state engineer and the two chairmen of the boards of county commissioners of Larimer and Routt counties, who shall constitute a board for that purpose.

Board of construction.

Sec. 4. After the survey of the route of said road and the establishing of the grade thereof, the board herein provided, shall let a contract or contracts for the construction of the same to the lowest bidder or bidders;

Board let contract.

Provided, that if, on making a survey and estimate of the construction of said wagon road, it is found that the amount herein appropriated is not sufficient to complete said road, then no part of said appropriation shall be used unless the boards of county commissioners or other responsible parties of said Larimer county shall agree to furnish the amount required in excess of this appropriation, and shall furnish to this board satisfactory evidence that such money shall be forthcoming on demand of such board or the contractor or contractors, on completion of said wagon road; and,

If appropriation insufficient no part to be expended.

Provided, further, That said board shall require good and sufficient bond from the party or parties contracting, in the aggregate sum of thirty thousand dollars for the completion of the work in accordance with the contract or contracts.

Bond.

Sec. 5. When the said work shall have been completed according to the contract or contracts and

Auditor draw  
warrant.

accepted by said board, the auditor of state is hereby directed to draw a warrant for the amount on the certificate of the state engineer, that the said work has been completed according to the contract or contracts, and that the same has been accepted by the board.

Counties keep in  
repair.

Sec. 6. After said road is constructed as aforesaid, the counties of Larimer and Routt shall each keep its share of the road in repair for the free use of the public.

Emergency.

Sec. 7. Whereas, in the opinion of the General Assembly an emergency exists; this act shall be in force and take effect from and after its passage.

Approved April 23, 1895.

## CHAPTER 54.

### APPROPRIATION—WAGON ROAD IN SAN JUAN AND LA PLATA COUNTIES.

(S. B. 101, by Senator Newman.)

## AN ACT

TO CONSTRUCT A WAGON ROAD FROM MOLUS LAKES, IN SAN JUAN COUNTY, COLORADO, TO A POINT ON THE RICO ROCKWOOD WAGON ROAD, WHERE THE BAKER TRAIL INTERSECTS THE SAME IN LA PLATA COUNTY, COLORADO, AND MAKING AN APPROPRIATION THEREFOR.

*Be it enacted by the General Assembly of the State of Colorado:*

Appropriation.

Section 1. That there is hereby appropriated out of any money in the state treasury, belonging to the internal improvement permanent or income funds, the sum of seven thousand five hundred (7,500) dollars, or so much thereof as may be necessary for the purpose of constructing a wagon road from Molus Lakes, San Juan County, Colorado, along the route of the old Baker trail, to a point on the Rico Rockwood wagon road where the Baker trail intersects the same in La Plata County, Colorado, or the most practical

route the survey may determine between the said points.

Sec. 2. The governor of the state, the state engineer and the chairmen of the boards of county commissioners of San Juan and La Plata counties shall be and are hereby constituted a board, to be designated as the board of construction, of which board the governor shall be chairman, and the engineer shall be secretary.

Board of  
Construction.

Sec. 3. It shall be the duty of the board, as soon as may be after this takes effect, to view the route of said proposed road and cause a survey thereof to be made and determine the grade and location of the same, after which they shall advertise for the construction of the same. Said advertisement shall be inserted for at least thirty days in at least one or more newspapers in each county wherein any portion of said proposed road is to be constructed.

Board make  
survey.

Advertise for bids.

After the survey of the route of said road, and the establishing of the grade thereof, the board herein provided for shall let a contract for the construction of the same to the lowest responsible bidder, and require a good and sufficient bond from the party or parties contracting, in the sum of fifteen thousand (15,000) dollars, conditioned for the completion of the work in accordance with the contract and plans and specifications.

Let contract.

Bond.

Sec. 4. When said works shall have been completed according to the contract, and accepted by the said board, the auditor of state is hereby directed to draw a warrant for the amount on the certificate of the state engineer, that the said work has been completed according to the contract, plans and specifications, and that the same has been accepted by the board of construction;

Auditor draw  
warrants.

Provided, That if, on making a survey and estimate of the construction of said wagon road, it is found that the amount herein appropriated is not sufficient to complete said road, then no part of said appropriation shall be used unless the boards of

If appropriation  
insufficient no part  
to be expended.

county commissioners or other responsible parties of said San Juan county shall agree to furnish the amount required in excess of this appropriation, and shall furnish to this board satisfactory evidence that such money shall be forthcoming on demand of such board or the contractor or contractors, on completion of said wagon road;

If no money in treasury.

Provided, In case there may be no money in said funds to meet said appropriation, or any part thereof, at the time of payment for said work, the state treasurer is hereby authorized and directed to pay the warrants drawn by the auditor of state for the amount herein appropriated with valid state warrants invested in either or both of said funds; said warrants so vested to be received by the contractor of said work at par, with accrued interest thereon, in full payment of the contract price of said work, or any part thereof, for the payment of which there may be no money in said fund; and,

Work done by citizens of Colorado.

Provided, further, That the work and labor herein provided for shall be done and performed by citizens of Colorado who have been residents therein for a period of not less than ninety (90) days.

Sec. 5. Provided, That no portion of the funds appropriated be for lands upon which to be placed such improvements.

Expense of survey, how paid.

Sec. 6. That all necessary expenses of investigation and survey shall be paid out of the internal improvement permanent or income funds, or as heretofore provided in section 4 of this act.

Counties keep road in repair.

Sec. 7. That after said road is constructed as aforesaid, the counties of San Juan and La Plata shall be at all the expense of maintaining and keeping said road in repair for the use of the public.

Emergency.

Sec. 8. Whereas, in the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 23, 1895.

## CHAPTER 55.

APPROPRIATION—WAGON ROAD IN BUCHANAN  
PASS.

(H. B. 16, by Mr. Minor.)

## AN ACT

TO CONSTRUCT A STATE WAGON ROAD FROM A POINT ON GRAND RIVER, IN GRAND COUNTY, ACROSS THE MAIN RANGE OVER BUCHANAN PASS TO THE TOWN OF WARD, IN BOULDER COUNTY, AND MAKE AN APPROPRIATION THEREFOR.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That the sum of ten thousand dollars be and the same is hereby appropriated out of any moneys in the internal improvement permanent fund not otherwise appropriated, for the purpose of constructing a wagon road in Grand and Boulder Counties upon the following described route, as near as practicable, to-wit: Commencing on the County road in Grand County that leads from Hot Sulphur Springs to Grand Lake, near where the South fork of Grand river unites with Grand river; from thence up and along the South fork of Grand river to the mouth of Arapahoe Creek; thence by the most practicable route to the Buchanan pass; and thence by Beaver Park and the most practicable route to the town of Ward, in Boulder County.

Sec. 2. Said wagon road shall be surveyed and the route selected by the State engineer as near as practicable in the route described in section 1 of this act.

Sec. 3. Said wagon road shall be constructed under the superintendence of the state engineer and

If appropriation  
insufficient then no  
part to be  
expended.

the chairman of the board of County Commissioners of the Counties of Grand and Boulder; Provided, That if on making a survey and estimate of the cost of said wagon road it is found that the amount herein appropriated is not sufficient to complete said wagon road, then no part of the appropriation herein provided for shall be used, except so much thereof as shall be necessary to make such survey, unless the board of County Commissioners, or other responsible parties of said Grand and Boulder Counties, shall agree to furnish the amount required in excess of this appropriation, and shall furnish to said commissioners satisfactory evidence that such money shall be forth coming on demand of such commissioners of the contractor, on the completion of such wagon road.

Auditor draw  
warrant.

Sec. 4. That the state auditor be and is hereby authorized and directed to draw his warrant on the state treasurer for the sum of ten thousand dollars, or so much thereof as may be necessary, on certificate of the state engineer, that such wagon road has been constructed.

Counties keep in  
repair.

Sec. 5. That after said road is constructed as aforesaid, the Counties of Grand and Boulder shall be at all the expense of maintaining and keeping said road in repair for the use of the public.

Approved April 23, 1895.



## CHAPTER 56.

## APPROPRIATION—WILLOW CREEK.

(H. B. 33, by Mr. Roe.)

## AN ACT

TO CHANGE AND STRAIGHTEN THE CHANNEL OF WILLOW CREEK; TO CRIB AND BUILD A LEVEE ALONG THE SAME, AT AND ADJOINING THE CITY OF CREEDE, AND MAKING AN APPROPRIATION THEREFOR.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There is hereby appropriated out of any money in the State treasury, belonging Appropriation. to the internal improvement permanent fund the sum of six thousand dollars (\$6,000), or so much thereof as may be necessary, for the purpose of straightening and changing the channel of Willow Creek, to crib and construct a levee along the same, at and adjoining the City of Creede, Mineral County; Provided, In case there may be no money in the said fund, If no money in fund—how paid. to meet said appropriation, or any part thereof, at the time of payment for said work, the State treasurer is hereby authorized and directed to pay the warrants drawn by the auditor of State for the amount herein appropriated, with valid State warrants invested in said fund, said warrants so invested to be received by the contractor of said work at par, with accrued interest thereon, in full payment of contract price of said work or any part thereof, for the payment of which there may be no money in said fund.

Sec. 2. The governor, the chairman of the board of county commissioners of Mineral County, and the State engineer shall be and are hereby constituted a board, Board of construction. to be designated as the board of construction.

Sec. 3. It shall be the duty of the board, as soon as may be, after this act takes effect, to view

Advertise for bids. said creek at said place and immediately after viewing the same, said board shall adopt plans and advertise for bids in accordance therewith for the construction of said work, and thereupon they shall let the contract to the lowest responsible bidder and require a good and sufficient bond from the contractor, in the sum of six thousand dollars, conditioned for the completion of said work according to contract, Provided, That if the board shall determine, after examination and survey, that the work provided for in this act cannot be constructed with the amount of money herein appropriated, then in such case no part of such appropriation shall be expended except so much thereof as may be necessary to defray the expenses which may have been incurred by the board in making the necessary examination and surveys, unless the board of county commissioners of said Mineral County, or other responsible parties, shall agree to furnish the amount required in excess of this appropriation, and shall furnish to the commission herein established, satisfactory evidence that such money will be forthcoming on demand of such commission on the completion of said work.

Auditor draw warrants.

Sec. 4. The auditor of State is hereby authorized to draw warrants for the payment of said work, or any part thereof upon vouchers certified to by the said board, the entire expense not to exceed the aggregate sum of six thousand dollars. In the event of a balance remaining to the credit of said appropriation, the money so appropriated, or balance thereof, as the case may be, shall be covered back into the fund from which it was taken.

Balance covered back.

Emergency.

Sec. 5. Whereas, In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 20, 1895.

## CHAPTER 57.

## AGRICULTURAL COLLEGE.

(S. B. 273, by Senator Evans.)

## AN ACT

IN RELATION TO THE COLLEGE CADETS OF THE COLORADO AGRICULTURAL COLLEGE AND TO REPEAL ALL LAWS IN CONFLICT HEREWITH.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That, for the purpose of further carrying out the provisions of the act of Congress approved July 2, 1862, in relation to agricultural colleges, the military body known as the Agricultural College Cadets, of the Colorado Agricultural College, is hereby organized as an auxiliary branch of the Colorado National Guard, placed upon the same footing as regards arms, ammunition, clothing, camp and garrison equipage as the Colorado National Guard.

Organized as an auxiliary.

Sec. 2. That the proper officers of said Colorado National Guard are hereby authorized and directed to honor the requisitions of the commanding officer of said Agricultural College Cadets, under such rules and regulations as may hereafter be prescribed by the State Military Board and the State Board of Agriculture, when countersigned by the president of said college, for ten rounds of ammunition per year for each member of said military body, and for such camp and garrison equipage as may be necessary for the proper instruction of said body in all that pertains to the practical duties of soldiers in camp.

Officers of Colorado National Guard to honor requisitions.

For ten rounds of ammunition.

For camp equipage.

Sec. 3. The cadets of the State Agricultural College shall be attached to the Colorado National Guard, under such rules and regulations as may hereafter be prescribed by the State Military Board and the State Board of Agriculture.

Attached to Colorado National Guard.

Approved April 9, 1895.

## CHAPTER 58.

### APPEALS—COUNTY TO DISTRICT COURTS.

(S. B. 22, by Senator Reuter.)

## AN ACT

TO AMEND SECTION THREE (3) OF AN ACT ENTITLED "AN ACT TO AMEND SECTIONS SIXTEEN AND SEVENTEEN OF CHAPTER TWENTY-TWO OF THE GENERAL STATUTES OF THE STATE OF COLORADO, AND TO ENACT OTHER PROVISIONS RELATING TO APPEALS FROM COUNTY COURTS TO DISTRICT COURTS", APPROVED APRIL 14, 1885; AND TO REPEAL AN ACT ENTITLED "AN ACT TO AMEND SECTION THREE OF AN ACT ENTITLED 'AN ACT TO AMEND SECTIONS SIXTEEN AND SEVENTEEN OF CHAPTER TWENTY-TWO OF THE GENERAL STATUTES OF THE STATE OF COLORADO; AND TO ENACT OTHER PROVISIONS RELATING TO APPEALS FROM COUNTY COURTS TO DISTRICT COURTS'," APPROVED APRIL 9, 1891.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section three (3) of an act entitled "An act to amend sections 16 and 17 of chapter 22 of the General Statutes of the state of Colorado, and to enact other provisions relating to appeals from county courts to district courts" approved April 14, 1885. is hereby so amended as to read as follows:

Sec. 3. Within ten days after such appeal shall have been made, according to the foregoing provisions, and upon payment of the costs of taking the appeal only, the clerk or judge of the court from which the appeal is taken shall file in the office of the clerk of the district court of the same county all the original process, pleadings and other papers relating to the suit, and filed in the county court, together with a transcript of all the entries made on the records of the county court relating to said cause. The failure of the clerk or judge of the county court to file such papers and transcript within the time herein prescribed shall not affect the appeal: but in such case neither the clerk nor judge shall be entitled to any fees in the same cause; and in case the appeal is not

Within ten days  
after appeal  
Clerk file in district  
court all papers.

Failure to file with-  
in the time not  
affect appeal.

Not entitled to fees.

docketed by the appellant in the district court within thirty days after being lodged with the clerk of the district court, the transcript shall be remitted by the clerk of the district court to the county court; and the county court shall proceed on said judgment as though no appeal had been taken.

If not docketed within thirty days transcript remitted back.

Sec. 2. An act entitled "An act to amend section 3 of an act entitled 'An act to amend sections 16 and 17 of chapter 22 of the General Statutes of the state of Colorado, and to enact other provisions relating to appeals from county courts to district courts,'" approved April 9, 1891," is hereby repealed.

Repeal.

Approved April 13, 1895.

## CHAPTER 59.

### ATTACHMENTS—JUSTICE COURTS.

(H. B. 91, by Mr. Wallace.)

## AN ACT

TO AMEND SECTION ONE OF AN ACT ENTITLED "AN ACT TO AMEND THE ATTACHMENT LAWS IN JUSTICE COURTS OF THE STATE, AS PRESCRIBED BY DIVISION 5 OF CHAPTER 62 OF THE GENERAL STATUTES OF THE STATE OF COLORADO OF 1883," APPROVED MARCH 6, 1894.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section 1 of an act entitled "An act to amend the attachment laws in justice courts of the state, as prescribed by division 5 of chapter 62 of the General Statutes of the State of Colorado of 1883," approved March 6, 1894, be and the same is hereby amended so as to read as follows:

Sec. 1. That section 77 of chapter 62, the same being general section 2000 of the statutes of Colorado, be and the same is hereby amended so as to read as follows:

Sec. 77. If any creditor or credible person for him, shall make and file with any justice of the peace

File affidavit with justice of peace.

his affidavit setting forth that the defendant in such affidavit named is justly indebted to such creditor in a sum of money not exceeding three hundred dollars, upon a contract expressed or implied, stating the amount of such indebtedness, as near as may be, and shall also allege any one or more of the following grounds of attachment:

State amount of indebtedness.

Debtor a foreign corporation.

Not a resident.

Four months absent from state.

About to depart from state.

Has conveyed or assigned his property.

Has concealed or disposed of.

Refused to pay price of article.

Refused to pay value of work.

First—That the said debtor is a foreign corporation.

Second—That the said debtor is not a resident of this State.

Third—That the said debtor conceals himself or stands in defiance of an officer, so that process of law cannot be served upon him, or that said debtor has been for four months last past absent from the state, or that for four months the whereabouts of said debtor have been unknown, and the debt for which suit is brought has been due during the said period of four months.

Fourth—That the said debtor has departed or is about to depart from this state, with intent to have his property, or a material part thereof, removed from the state, or that said debtor is about to remove his property from the state with intent to hinder, delay or defraud his creditors.

Fifth—That said debtor has conveyed, transferred or assigned or is about to convey, transfer or assign his property, with intent to hinder, delay or defraud his creditors.

Sixth—That said debtor has concealed, removed or disposed of, or is about to conceal, remove or dispose of his property with the intent to hinder, delay or defraud his creditors.

Seventh—That the debt is for an article or articles the price or value of which should have been paid at the time of the delivery thereof, and which the said debtor failed or refused to do.

Eighth—That the debt is for work and labor, or for any services rendered by the plaintiff, at the

instance of the defendant, for which said debtor was to have paid plaintiff at the completion of the labor, or when said services were fully rendered.

Ninth—That the said debtor fraudulently contracted or incurred the debt, or by false representations or false pretense, or by any other fraudulent pretense, procured the money, goods, chattels or effects of the plaintiff, the justice of the peace may, at the time of issuing the summons in the action, or at any time afterwards before final judgment in the action, issue a writ of attachment against the personal property of the said debtor within his county, not by law exempt from execution, as security for any judgment which the plaintiff may recover in said action.

Fraudulently  
contracted debt.

Issue writ of  
attachment.

Approved April 8, 1895.

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## CHAPTER 60.

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### CITIES—POLICE MAGISTRATE.

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(S. B. 95, by Senator Felker.)

## AN ACT

TO AMEND SECTIONS 1, 4, 6, 7, 8, 10, 11 AND 13 OF "AN ACT TO PROVIDE FOR THE CREATION AND ORGANIZATION OF POLICE MAGISTRATE COURTS IN CITIES HAVING A POPULATION OF TWENTY-FIVE THOUSAND OR MORE INHABITANTS; TO PRESCRIBE THE JURISDICTION, POWERS AND PROCEEDINGS OF SUCH COURTS; AND TO DEFINE THE DUTIES, QUALIFICATIONS AND COMPENSATION OF THE POLICE MAGISTRATE AND OTHER OFFICERS CONNECTED THEREWITH; AND TO REPEAL CERTAIN ACTS", AS APPROVED MARCH 13, 1885; AND TO ENACT OTHER PROVISIONS IN RELATION THERETO.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section 1 of an act, entitled "an act providing for the creation and organization of police magistrate courts of cities having a population of twenty five thousand or more inhabitants, and prescribing the jurisdiction, powers and proceedings of such courts, and to define the duties, qualifications

and compensation of police magistrate and other officers connected therewith, and to repeal certain acts," approved March 18th, 1885, is hereby amended so as to read as follows:

Cities of  
fifty thousand  
inhabitants or  
more.

Police magistrate  
court.

Sec. 1. In all cities of this State containing a population of fifty thousand or more inhabitants, whether organized under a special charter or general act for the incorporation of towns and cities, there is hereby created and established a certain court, to be called police magistrate court.

Sec. 2. That section 4 of an act entitled, "An act to provide for the creation and organization of police magistrate courts in cities having a population of twenty-five thousand or more inhabitants; to prescribe the jurisdiction, powers and proceedings of such courts, and to define the duties, qualifications and compensation of the police magistrates and other officers connected therewith, and to repeal certain acts," approved March 18, 1885, is hereby so amended as to read as follows:

Police magistrate  
appointed by  
governor.

Term two years.

Removed for  
cause.

Oath of office.

File with secretary  
of state.

Shall be learned in  
the law.

Sec. 4. Every police magistrate of the courts hereby created shall be appointed by the governor, by and with the advice and consent of the Senate, and shall hold his office for a term of two years, commencing from the date of his qualification and until his successor is appointed and qualified, and he may be removed from office by the governor for cause, but not for political reasons. The police magistrate shall, before entering upon the duties of his office, make and subscribe an oath, or affirmation, to support the constitution of the United States and the constitution of the state of Colorado, and to faithfully perform the duties of his said office, and shall file such oath with the secretary of state within twenty days from the date of his confirmation. The police magistrate shall receive no other compensation, perquisite or emolument for or on account of his office, in any form whatever, except his salary as herein provided. The police magistrate shall be a person learned in the



law, and a duly licensed attorney, and a qualified elector of the city, and shall receive as compensation a salary of twenty-five hundred dollars per annum, payable in equal monthly installments out of the city treasury. Compensation.

Sec. 3. That section 6 of said act be and the same is hereby amended so as to read as follows:

Sec. 6. There shall be a clerk of each police magistrate's court, who shall be appointed by the police magistrate, and who shall hold his office during, and may be removed at, the pleasure of such police magistrate. The clerk of said court shall execute a bond to the people of the state of Colorado, in the penal sum of twenty thousand dollars, with sureties to be approved by the mayor of the city in which said court is established, conditioned for the faithful performance of his official duties, and the due accounting and payment to the proper person of all moneys which may come into his hands by reason of the said office. The clerk of said court shall receive an annual salary of sixteen hundred (\$1600) dollars, payable in like manner as the salary of the police magistrate. The clerk of said court shall keep in his office an inverse index book of the records of said court, in which shall be entered the title of every cause or matter instituted in said court, the day of the commencement thereof, the name and number of the book of the records, and the page or pages upon which the various judgments, orders, rulings or proceedings may be found. The clerk shall provide a suitable book, to be known as the "Magistrate's Docket," for the use of the police magistrate, in which the clerk shall enter the number and title of each case commenced in said court, together with the offense of which the accused is charged, which shall be prepared before the opening of court for the use of the police magistrate at each session thereof, in which shall be noted by the police magistrate the various findings, orders, rulings, fines and penalties imposed in each case. The clerk of said court is

Magistrate appoint clerk.

Clerk execute bond to be approved by the mayor.

Compensation.

Shall keep index book of records.

Docket.

Title of each case.

Enter rulings.

Clerk administer  
oaths.

Issue all process  
from said court  
under seal.

hereby authorized to administer all oaths and affidavits required to be taken by any person concerning any matter, or any process or proceeding pending or to be commenced in said court, or any other affidavit authorized or required by law, and to issue all process from said court in the name of the clerk thereof, and under the seal of said court. Each police magistrate's court shall be provided with a seal, which shall contain the name of such court, according to the name of the city in which it is established.

Sec. 4. That section 7 of said act be and the same is hereby amended so as to read as follows:

Accused may  
appear in person.

Police magistrate  
adopt rules.

Contempt.

Sec. 7. In all cases pending in police magistrate courts, the accused may appear in his own proper person, and, if a minor, by parent or guardian, or by a duly licensed attorney and counsellor at law under the laws of the state, and by any other person. The police magistrates shall have full power and authority to make and adopt rules and regulations for conducting the business of their said courts, and shall have all powers incident to a court of record, in relation to the attendance of witnesses, the punishment of contempt, and enforcing all orders of court; Provided, however, That no imprisonment for contempt shall exceed five days, and no fine for contempt shall exceed one hundred (\$100) dollars.

Sec. 5. That section 8 of said act be and the same is hereby amended so as to read as follows:

Hold session every  
day.

Clerk issue  
summons.

Sec. 8. The police magistrate shall hold regular sessions of his court every day, Sundays and legal holidays excepted, for the trial of cases; and shall, at all times, examine and hear complaints for the violation of any city ordinance where there is probable cause to believe that an offence has been committed. The clerk shall issue a summons or warrant in all cases upon the filing of a verified complaint, fixing the return day of such summons at a date not earlier than the next session of said court, and not later than three days after service thereof.

Sec. 6. That section 10 of said act be and the same is hereby amended so as to read as follows:

Sec. 10. All actions to recover any fine or to enforce any penalty or forfeiture under any ordinance shall be in the corporate name of the city in which said court is situated. All cases for the violation of any ordinance shall be commenced by the filing of a complaint; Provided, however, That a warrant for the arrest of the accused may issue in the first instance upon the affidavit of any person that any such ordinance has been violated, and that the person making the complaint has reasonable ground to believe that the party charged is guilty thereof; and every person arrested upon such warrant shall, without unnecessary delay, be taken before the police magistrate's court to be tried for the alleged offense. Any person upon whom any fine or penalty shall be imposed may, upon the order of the police magistrate's court, be committed to the city jail, or other place provided by the city for the incarceration of offenders, until such fine, or penalty, and costs shall be paid; Provided, That no such imprisonment shall exceed ninety days for any one offense. The city council of the city in which any such court is established shall have power to provide by ordinance that any person so committed shall be required to work for the corporation at such labor as may be designated, within or without such jail, or other place provided for the imprisonment of such offenders, not exceeding ten hours for each working day, and for such work the person so employed shall be allowed, exclusive of his board, two (\$2.00) dollars per day for each day's work on account of fine and costs.

Actions in name of city.

Complaint.

Warrant may issue.

Tried without unnecessary delay.

Fine.

Committed to jail until fine is paid.

Not exceed ninety days.

Prisoner may work out fine.

Sec. 7. That section 11 of said act be and the same is hereby amended so as to read as follows:

Sec. 11. Appeals may be taken from all judgments of said courts to the county court of the same county, where the case shall be tried de novo. But no such appeal shall be allowed a defendant unless the defendant shall pay all the costs of appeal accrued

Appeals from judgments.

Defendant pay costs.

Bond to be approved by magistrate.

in the police magistrate's court; and shall within ten days execute a bond with good surety, to be approved by the police magistrate, to the city, in such penal sum as may be fixed by the court, not to exceed double the amount of judgment for fine and costs, conditioned that he will duly prosecute such appeal, and will pay off and satisfy any judgment that may be rendered upon the trial of said case in the court to which the appeal is taken, or that the defendant will surrender himself in satisfaction of such judgment. Upon the execution of such bond, the judgment shall be superseded, and the original papers, together with a transcript of the record, shall be certified to the court to which the appeal is taken.

Judgment superseded.

Appeals may be taken by city.

Appeals may be taken by the city by filing said papers and transcript in the county court aforesaid, within three days of the judgment appealed from, without giving any bond; Provided, That the party appealing shall, within five days from the date of the approval of his appeal bond, pay to the clerk of the court to which the appeal is taken, all fees necessary to have the cause docketed and placed on the calendar. In case the party appealing fails to pay said fees within said time, then said appeal shall be dismissed on application of the appellee, and the clerk of said court shall at once issue a procedendo to the police magistrate from whose judgment the appeal was taken, to make the amount of the judgment and all costs therein incurred before said police magistrate and in said court. Action may be instituted upon any such appeal bond in the name of the city. No appeal by any defendant or defendants shall lie to the district courts from judgments of county courts in cases commenced in police magistrate courts.

Pay all fees.

Failure to pay fees —clerk will issue procedendo.

Sec. 8. That section 13 of said act be and the same is hereby amended so as to read as follows:

All fines paid to clerk.

Sec. 13. All fines, penalties and costs imposed by the police magistrate's court shall be paid to the clerk of said court. It shall be the duty of the clerk,

at the end of each day, to pay to the city treasurer all moneys received by him, for fines and penalties, and the said city treasurer shall execute triplicate receipts for the sums thus paid, one copy of which receipts, accompanied by a detailed statement, showing the amount of fines imposed and collected in each case, verified by the clerk and attested by the police magistrate, shall, within five days, be filed with the city auditor, and a like receipt and statement shall be filed with the city treasurer.

Clerk pay moneys to treasurer.

Receipts filed with auditor.

Sec. 9. Whereas, in the opinion of the General Assembly, an emergency exists; therefore, this act shall be in force and take effect from and after its passage.

Emergency.

Approved April 13, 1895.

## CHAPTER 61.

### CIVIL RIGHTS.

(H. B. 175, by Mr. Stuart.)

## AN ACT

TO PROTECT ALL CITIZENS IN THEIR CIVIL AND LEGAL RIGHTS, FIXING A PENALTY FOR VIOLATION OF THE SAME, AND TO REPEAL AN ACT ENTITLED, "AN ACT TO PROTECT ALL CITIZENS IN THEIR CIVIL RIGHTS," APPROVED APRIL 4, 1885.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That all persons within the jurisdiction of said State shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities and privileges of inns, restaurants, eating houses, barbershops, public conveyances on land or water, theaters, and all other places of public accommodation and amusement, subject only to the conditions and limitations established by law and applicable alike to all citizens.

Entitled to.

Conditions and limitations.

Sec. 2. That any person who shall violate any of the provisions of the foregoing section by denying

Violation of.

Forfeit to person  
aggrieved.

Misdemeanor.

Fine and  
imprisonment.

Proviso.

Jurisdiction of  
justice of peace.

Trial by jury.

Appeal.

Jurisdiction of  
county court.

File complaint.

to any citizen, except for reasons applicable alike to all citizens of every race and color, and regardless of color or race, the full enjoyment of any of the accommodations, advantages, facilities or privileges in said section innumeraled, or by aiding or inciting such denial, shall for every such offence forfeit and pay a sum of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) to the person aggrieved thereby, to be recovered in any court of competent jurisdiction in the county where said offence was committed; and shall also for every such offence be deemed guilty of a misdemeanor; and, upon conviction thereof, shall be fined in any sum not less than ten dollars (\$10), or more than three hundred dollars (\$300), or shall be imprisoned not more than one year, or both; and, Provided further, That a judgment in favor of the party aggrieved, or punishment upon an indictment or information shall be a bar to either prosecution, respectively.

Sec. 3. Justices of the peace in the County where the offence is committed shall have jurisdiction in all civil actions brought under this act to recover damages, to the extent of the jurisdiction of justices of the peace to recover a money demand in other actions, as fixed by law, and either party shall have the right to have the cause tried by jury and to appeal from the judgment of the justice, in the same manner as in other civil suits.

Sec. 4. When such action shall be brought originally before a justice of the peace and an appeal taken from the judgment of the justice to the county court, such court to which the appeal is taken shall, upon the trial de novo of such appeal have jurisdiction to render a judgment for a sum exceeding the jurisdiction of the justice, in the same manner as though such suit had originally been begun in such county court; Provided, That the plaintiff, shall, within thirty (30) days after the transcript is filed in the county court to which the appeal is taken, file his complaint in such case in the same manner as in

original suits, and thereupon process shall issue against the defendant, and the cause shall proceed in all respects the same as in original actions brought in such court.

Sec. 5. When a complaint is filed, the appeal shall not be dismissed without the consent of the plaintiff. <sup>Consent of plaintiff.</sup>

Sec. 6. That the act in session laws of 1885 relating to civil rights, and entitled, "An act to protect all citizens in their civil rights," Approved April 4, 1885, and all other acts or parts of acts in conflict herewith are hereby repealed. <sup>Repeal.</sup>

Sec. 7. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect from and after its passage. <sup>Emergency.</sup>

Approved April 9, 1895.

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## CHAPTER 62.

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### CODE OF PROCEDURE.

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(S. B. 171, by Senator Pease.)

## AN ACT

TO AMEND SECTION 272 OF AN ACT TO PROVIDE A CODE OF PROCEDURE IN CIVIL ACTIONS FOR COURTS OF RECORD IN THE STATE OF COLORADO, APPROVED APRIL 17, 1887, AND TO REPEAL ALL ACTS INCONSISTENT THEREWITH.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section 272 of Chapter 23 of the act to provide for a code of civil procedure in civil actions for courts of record in the State of Colorado, and to repeal all acts inconsistent therewith, duly approved on the 7th day of April, A. D. 1887, is hereby amended to read as follows:

Sec. 272. Whenever judgment shall be rendered against either party under the provisions of this Chapter, it shall be lawful for the party against whom such judgment is rendered, his heirs or assigns, <sup>When judgment is rendered.</sup>

Court vacate  
judgment and  
grant new trial.

Plaintiff bring  
action for rents.

Lode, vein or  
mining claim,  
defendant not  
entitled to offset.

at any time before the first day of the next succeeding term, to pay all costs recovered thereby; and upon application of the party against whom the same is rendered, his heirs or assigns, the court shall vacate such judgment and grant a new trial in such case (but only one new trial shall be granted in any case, as of right, without showing cause); and after such judgment is vacated the cause shall stand for trial the same as though it had never been tried; and in case possession may have been recovered under the action for possession of title brought or prosecuted under the provisions of this Chapter, the plaintiff may bring his action for the rents and profits thereof; and in such action the measure of damages shall be the same as in actions for mesne profits at common law; and in case such premises recovered be a lode, vein or mining claim, the defendant shall not be entitled to any offset for any timbering, cribbing, improvements or developments made upon the same; neither shall the damages be abated or lessened by reason of such improvements or developments.

Approved April 13, 1895.

## CHAPTER 63.

### CODE OF PROCEDURE—ATTACHMENTS.

(H. B. 43, by Mr. Wallace.)

## AN ACT

TO AMEND SECTION ONE OF AN ACT APPROVED MARCH 5, 1894, ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT FOR AN ACT TO PROVIDE A CODE OF PROCEDURE IN CIVIL ACTIONS FOR COURTS OF RECORD IN THE STATE OF COLORADO', AND TO REPEAL ALL ACTS INCONSISTENT THEREWITH, APPROVED APRIL 7, 1887."

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That Section one of an act approved March 5th 1894, entitled "an act to amend an act entitled an act for an act to provide a code of civil pro-



cedure in civil actions for courts of record in the State of Colorado and to repeal all acts in conflict therewith, Approved April 7, 1887." be and the same is hereby amended so as to read as follows: That section 92 of an act entitled "An act for an act to provide a code of procedure in civil actions for courts of record in the state of Colorado," approved April 7, 1887, be and the same is hereby amended so as to read as follows: Sec. 92. No writ of attachment shall issue unless the plaintiff, his agent or attorney, or some credible person for him, shall file in the office of the clerk of the court in which the action is brought, an affidavit setting forth that the defendant is indebted to such plaintiff, stating the nature and amount of such indebtedness as near as may be, and alleging any one or more of the following causes for attachment, viz.:

First—That defendant is not a resident of this State. File affidavit with clerk of court.

Second—That the defendant is a foreign corporation. Defendant not a resident.

Third—That the defendant is a corporation whose chief office or place of business is out of the state. Foreign corporation.

Fourth—That the defendant conceals himself, or stands in defiance of an officer, so that process of law cannot be served upon him, or that the defendant has for more than four months been absent from the state, or that for such length of time his whereabouts have been unknown, and that the indebtedness mentioned in the affidavit has been due during all the said period. Office out of state.

Fifth—That the defendant is about to remove his property or effects, or a material part thereof, out of this state, with intent to defraud or hinder or delay his creditors, or some one or more of them. Four months out of state.

Sixth—That the defendant has fraudently conveyed or transferred or assigned his property or Remove his property.

Transferred or assigned his property.

effects, so as to hinder or delay his creditors, or some one or more of them.

Concealed or removed.

Seventh—That the defendant has fraudulently concealed or removed or disposed of his property or effects, so as to hinder or delay his creditors, or some one or more of them.

Transfer or assign.

Eighth—That the defendant is about to fraudulently convey or transfer or assign his property or effects so as to hinder or delay his creditors, or some one or more of them.

About to depart from state.

Ninth—That the defendant is about to fraudulently conceal or remove or dispose of his property or effects so as to hinder or delay his creditors; or that such debtor has departed, or is about to depart from this state, with the intention of having his effects removed from the state.

Refused to pay price of article.

Tenth—That the defendant has failed or refused to pay the price or value of any article or thing delivered to him which he should have paid for upon the delivery thereof.

Refused to pay value of work.

Eleventh—That the defendant has failed or refused to pay the price or value of any work or labor done or performed, or for any services rendered by the plaintiff at the instance of the defendant, and which, and which should have been paid at the completion of such work or when services were fully rendered.

Fraudulently contracted debt.

Twelfth—That the defendant fraudulently contracted the debt, or fraudulently incurred the liability respecting which the suit is brought, or by false representation or false pretenses or by any fraudulent conduct, procured money or property of the plaintiff

Approved April 8, 1895.

## CHAPTER 64.

## COMMISSION MERCHANTS.

(H. B. 79, by Mr. Tomkins.)

## AN ACT

REQUIRING COMMISSION MERCHANTS TO GIVE BONDS, AND  
TO PROVIDE PENALTIES FOR FAILURE TO GIVE BONDS,  
AND FOR THE COLLECTION OF THE PENALTY OF THE  
BOND.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. From and after the passage of this act, every person, Company or Corporation, engaged in the business of selling wares, goods, merchandise or produce upon Commission, usually designated as Commission Merchants, shall execute a bond, with Execute a bond. good and sufficient sureties, to be approved by the board of County Commissioners, and filed with the Bond filed with county clerk. clerk of the County in which such business is to be carried on, running to the people of the state of Colorado, and conditioned for the faithful accounting on demand or according to agreement for all of the goods, wares, merchandise or produce secured for sale, and for the payment to the owner of all moneys, less stipulated Commissions and necessary charges, realized Less commissions. from the sale of such goods, wares, merchandise or produce. Such bond shall be in a sum fixed by the County Commissioners of the County in which the business is to be carried on, such bond not to exceed Amount of bond. the sum of ten thousand dollars, and not less than one thousand dollars, and a new bond shall be given New bond each year. at the beginning of each calendar year in such sum as the County Commissioners may require.

Sec. 2. Upon the approval of the bond, as provided in section 1 of this act, the clerk of the county, upon the receipt of one dollar, shall issue a permit, Clerk issue permit under seal. under his hand, and the seal of the county, to the per-

Post in conspicuous  
place in store.

Letters—billheads.

son, company or corporation giving the bond, authorizing such person, Company or Corporation to carry on the business of commission merchant in said County, until and including the 31st day of December following the issuing of the same, and such certificate shall state the amount of said bonds and shall be posted, by such commission merchant, in a conspicuous place in his store or place of business, and there shall be printed in conspicuous type on all letter and bill heads of every such Commission Merchant, the following: "Amount of statutory bond approved by the County Commissioners of \_\_\_\_\_ County, Colorado, \$ \_\_\_\_\_." the blanks to be filled out with the name of the proper County and the true amount of the bond.

False returns.

Misdemeanor.

Fine and  
imprisonment.

Sec. 3. Any person, company or corporation carrying on the business of Commission merchant as hereinbefore defined without first giving the bond and obtaining the permit herein provided for, or who shall fail to comply with any of the requirements of section two hereof, or who after obtaining such permit make or cause to be made false returns of proceeds of sale of goods, wares or merchandise received for sale on Commission, and all clerks, officers and employees of such Commission merchants who shall knowingly make or cause to be made any false return of proceeds of sale of goods, wares or merchandise received for sale on Commission by such Commission merchant, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in a sum not less than fifty dollars and not more than five hundred dollars, or shall be imprisoned in the County jail for a period of not more than nine months or shall be both fined and imprisoned, at the descretion of the Court.

Institute action in  
the name of the  
people.

Sec. 4. Upon breach of any of the conditions of such bond, any person, Company or Corporation who shall have sustained any injury or loss by reason of such breach, may institute an action in any Court of such County, of Competent jurisdiction, in the

name of the people of the State of Colorado for the use and benefit of the person or persons, sustaining such injury or loss, or their assigns, upon such bond for the loss or damages sustained by the breach of any conditions of such bond.

Sec. 5. In the opinion of the General Assembly <sup>Emergency.</sup> an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 17, 1895.

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## CHAPTER 65.

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### CONSTITUTIONAL AMENDMENT.

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(H. B. 113, by Mr. Lowell.)

## AN ACT

TO SUBMIT TO THE QUALIFIED ELECTORS OF THE STATE OF COLORADO AN AMENDMENT TO ARTICLE ELEVEN, SECTION THREE, OF THE CONSTITUTION OF THE STATE OF COLORADO; AND TO PROVIDE FOR THE CREATION OF A BONDED INDEBTEDNESS ON BEHALF OF THE STATE TO THE AMOUNT OF TWELVE HUNDRED THOUSAND DOLLARS TO FUND THE OUTSTANDING OBLIGATIONS OF THE STATE.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There shall be submitted to the qualified electors of the State of Colorado, at the next general election of members of the General Assembly, for their approval or rejection, the following amendment to the constitution of the state of Colorado, which, when ratified by a majority of those voting thereon, shall be valid as a part of the constitution, to-wit: Section 3 of Article 11 of the constitution of the state of Colorado shall be amended to read as follows:

Sec. 3. The state shall not contract any debt by loan, or in any form, except to erect public buildings for the use of the state, suppress insurrection, de-

<sup>Submission of amendment.</sup>

<sup>State not contract debt.</sup>

fend the state, or in time of war assist in defending the United States.

Amount of debt not exceed.	<p>The debt incurred in any one year for erection of public buildings shall not exceed one-half mill on each dollar of valuation of taxable property within the state, as shown by the assessment last preceding the creation of the debt. It shall not be lawful for any General Assembly to authorize any appropriations in excess of the actual revenue of the state of Colorado for the preceding two years, except to suppress insurrection, defend the state, or, in time of war, to assist in defending the United States; Provided, That, in addition to the amount of debt that may be incurred as above, the state may contract a debt by loan to the amount of twelve hundred thousand dollars (\$1,200,000); the bonds for such indebtedness shall draw interest at a rate not exceeding four (4) per centum per annum, and shall be sold at not less than their par value, to provide funds for the payment of obligations of the state outstanding at the end of the fiscal year which terminates November 30, 1895; which said indebtedness includes four hundred and forty-three thousand nine hundred and fifty and eighty one-hundredths dollars (\$443,950.80) in warrants now held in the public school-fund, on which there will be, at the date of the issue of the proposed bonds, an accrued interest amounting to two hundred and fifteen thousand dollars (\$215,000), which interest will then be subject to distribution among the public schools of the state; and which further amount of said indebtedness includes sixty-one thousand one hundred and three dollars and eighty-seven cents (\$61,103.87) in warrants, on which there will be an accrued interest of thirty thousand dollars (\$30,000), which principal and interest belongs to other state funds; and all the balance of said indebtedness, which is due to private individuals, the principal of which is two hundred and seventy-nine thousand two hundred and twenty-three dollars and sixty-four cents</p>
General assembly make no appropriation in excess.	
May contract a debt by loan.	
To pay outstanding obligations.	
Warrants held in school fund.	
Amount of interest.	
Warrants of other state funds.	
Due private individuals.	

(\$279,223.64), on which there will be an accrued interest of one hundred and thirty-one thousand dollars (\$131,000), making a sum total of one million Total. one hundred and sixty thousand two hundred and seventy-eight dol- dollars and thirty-one cents (\$1,160,278.31), to which must finally be added the interest on Interest till issue of bonds. all of said debt from November 30, 1896, till the issuance of the bonds; and; Provided, That two hundred and fifty thousand dollars (\$250,000) of the bonds issued shall be in denominations of one hundred dollars (\$100); and the power to issue bonds hereby Denominations. granted shall expire with the payment of the outstanding obligations, as aforesaid; and, also, Provided, That the said bonds shall not be refunded; but Paid at maturity. shall be paid at maturity.

Sec. 2. Each elector voting at said election, and desirous of voting for or against the amendment, shall Form of ballot. deposit in the ballot box a ticket whereon shall be printed or written the words, "For the amendment," or the words, Against the amendment."

Sec. 3. The votes cast for the adoption or rejection of said amendment shall be canvassed and the result determined in the manner prescribed by the laws Votes canvassed. of the state for the canvass of votes for representatives in Congress.

Approved April 8, 1895.

## CHAPTER 66.

## CORPORATIONS.

(S. B. 109, by Senator Adams.)

## AN ACT

TO AMEND SECTION TWO HUNDRED AND FORTY-TWO (242) OF THE GENERAL STATUTES OF 1883, THE SAME BEING SECTION FOUR HUNDRED AND EIGHTY-ONE (481) OF MILLS' ANNOTATED STATUTES, ENTITLED "CORPORATIONS".

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section two hundred and forty-two (242) of the general statutes of 1883, the same being section four hundred and eighty-one (481) of Mills' Annotated Statutes, is hereby amended so as to read as follows:

Board of directors, number of.	<p>Sec. 481. The corporate powers shall be exercised by a board of directors or trustees of not less than three, or more than thirteen, who shall respectively be stockholders in said company, and who shall (except the first year) be annually elected by the stockholders, at such time and place as shall be directed by the by-laws of the company; and public notice of the time and place of holding such elections, and also of all general or special meetings, shall be published not less than ten days previous thereto in a newspaper published in or nearest to the place in which the principal office of the company shall be kept, as specified in its articles of incorporation, and by delivering personally or depositing in the post office at least thirty days before such meeting a notice properly addressed to each stockholder, signed by the president or secretary, stating the time and object of said meeting; and no business shall be transacted at any special meeting except such as shall be mentioned in said notice; if, however, any stockholder shall fail to furnish the secretary with his correct post office address, he shall not be entitled to such</p>
Elected annually.	
Publish notice of meeting.	
State object of meeting.	



separate notice. Elections of directors or trustees shall be made by such of the stockholders as shall attend for that purpose, either in person or by proxy; Provided, A majority of the stock issued shall be represented; and if a majority of such stock shall not be represented, such meeting may be adjourned by the stockholders present for a period not exceeding sixty days at any one adjournment.

A majority of stock issued to be represented.

When it is found that a majority of the stock is represented at such meeting or adjourned meeting, the stockholders shall proceed to nominate the number of directors, trustees or managers to be elected, each stockholder having the right to nominate. The election shall be by ballot, on which each person voting shall write the names of as many persons as are to be elected from the nominees. Each stockholder shall have the right to vote in person or by proxy for the number of shares owned by him or her, and in balloting for directors he or she may vote said number of shares for as many directors, trustees or managers as are to be elected, or he or she may cumulate such shares and give one candidate as many votes as the number of directors multiplied by the number of his or her shares of stock shall equal, or to distribute them on the same principle among as many candidates as he or she may desire; and the persons having the highest number of votes in consecutive order shall be declared elected the board of directors, trustees or managers for that year, and such directors, trustees or managers shall not be elected in any other way. And when any vacancy shall happen among the directors or trustees, by death, resignation, or otherwise, it shall be filled for the remainder of the year as shall be provided by the by-laws of said company. The board of directors or trustees of a mining or manufacturing corporation shall not have power to encumber the mines or plant of such corporation, or the principal machinery incident to the production from such mine or plant, until the question shall have been submitted at a proper and legal meeting of the

Nominations.

Election by ballot.

May cumulate shares.

Person having highest number of votes in consecutive order elected.

Vacancies.

Shall not have power to encumber until.

stockholders and a majority of all the shares of stock shall have been voted in favor of such proposition: and any mortgaging or incumbering of such property, without such consent shall be absolutely void, and the vote upon such proposition shall be entered on the minutes of the corporation.

Vote entered on minutes.

Approved April 8, 1895.

## CHAPTER 67.

### COUNTIES—REFUNDING BONDS.

(S. B. 42, by Senator Morton.)

## AN ACT

TO ENABLE THE SEVERAL COUNTIES OF THE STATE TO REFUND THEIR BONDED DEBT, WHICH HAS MATURED OR MAY HEREAFTER MATURE, BY ISSUING "REFUNDING BONDS"; PROVIDING FOR THE PAYMENT OF INTEREST AND PRINCIPAL, AND THE REGISTRATION THEREOF.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That when the bonded indebtedness of any county in this State has or may hereafter mature, or has or may hereafter become payable at the option of the board of County commissioners, and there shall not be funds in the treasury of such county available for that purpose with which to redeem such bonds, the board of county commissioners of such county may issue new bonds, to be denominated "Refunding Bonds", equal to the sum necessary and not otherwise provided, for the redemption of the matured bonds, exclusive of accrued interest; provided, the question of the issuance of said refunding bonds shall have been submitted to a vote of the people of the county in the manner provided by law; and it shall be the duty of the board of county commissioners to submit the question of the issuance of said refunding bonds to the electors of said county at a special or at the next general election. Such refunding bonds

When bonded indebtedness matures.

No money in funds.

Issue new bonds denominated "Refunding bonds."

Question submitted to vote.

At special or general election.

shall be payable, at the option of the county, ten years after date, and absolutely due and payable twenty years after date; and shall be of the denominations of one thousand dollars, five hundred dollars, or one hundred dollars. The interest upon said refunding bonds shall be payable semi-annually and at not to exceed the rate specified in the matured bonds; and both principal and interest may be made payable at the office of the county treasurer of said county, or in the City of New York, at the option of the holder of such bonds. Said refunding bonds may be exchanged dollar for dollar for such matured bonds as shall remain unredeemed after the funds applicable to that purpose have been exhausted; provided, they cannot be sold above par, or they may be sold and the proceeds applied to the redemption of said matured bonds; provided, said refunding bonds shall not be sold at less than their face value; provided, further, that all accrued interest on any such matured or maturing bonds shall be paid before said refunding bonds are issued, and that such refunding bonds shall not be issued in lieu of any accrued interest and shall not be sold for the purpose of paying any accrued interest whatever on said bonds.

Bonds payable ten years after date at option of county.

Absolutely due in twenty years.

Interest payable semi-annually.

Refunding bonds may be exchanged.

Cannot be sold above par.

Accrued interest.

Sec. 2. The bonds issued by virtue of this act may be payable to bearer. The form of bond shall be prescribed by the board of county commissioners, and shall recite for what the bonds are issued, and the title of the act under which they are issued; shall be signed by the chairman of the board of county commissioners; attested by the county clerk, and countersigned by the county treasurer; and the coupons thereon annexed shall be signed by the county treasurer.

Bonds payable to bearer.

How signed.

Coupons.

Sec. 3. And, for the half yearly interest accrued on these bonds, there shall be levied each year a sufficient tax to meet the same. For the ultimate redemption of the bonds there shall be levied, after nine years, a tax of not less than ten and not more than twenty per cent. of the amount of bonds issued,

Tax to meet interest.

Taxes payable in cash only.

Register bonds with state auditor.

Auditor certify to registration.

Fee.

such taxes payable in cash only, and shall be set apart for the exclusive use for the purposes herein named; and such tax shall be levied as provided for the levying and collection of taxes in the act entitled "An act to enable the several counties of the state to fund their floating indebtedness," Approved February 21, 1881; and it shall be the duty of the board of county commissioners to register each bond with the state auditor in the manner provided by law in the said act for funding the floating indebtedness of the counties of this state; and the state auditor shall certify on the back of each bond, under his official seal, that such bond has been duly registered in his office, under the provision of the act in accordance with which it is issued; and for such registration and seal the auditor shall receive a fee of ten cents for each bond so registered.

Approved April 8, 1895.

## CHAPTER 68.

### CRIMINAL CODE—AGE OF CONSENT.

(H. B. 59, by Mrs. Holly.)

## AN ACT

TO AMEND SECTION ONE OF AN ACT ENTITLED, "AN ACT TO AMEND SECTION FORTY NINE OF CHAPTER TWENTY FIVE OF THE GENERAL STATUTES OF THE STATE OF COLORADO, ENTITLED "CRIMINAL CODE," THE SAME BEING GENERAL SECTION SEVEN HUNDRED AND THIRTY SEVEN" APPROVED APRIL 9TH, 1891.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section 1 of an act entitled, "An act to amend section 49 of chapter 25 of the General Statutes of the State of Colorado, entitled, 'Criminal Code'," the same being general section 737, approved April 9th 1891 be and the same is hereby amended to read as follows:

Section 1. Section 49 of chapter 25 of the General Statutes of the State of Colorado, entitled "Criminal Code," the same being general section 737, Approved April 9th 1891 is hereby amended so as to read as follows: 737. Section 49. Rape is a carnal Definition. knowledge of a female, forcibly and against her will. Every male person over the age of fourteen years who shall have carnal knowledge of any female under the age of eighteen years, either with or without her consent, shall be adjudged to be guilty of the crime of rape. Every person convicted of the crime of rape Punishment. shall be punished by confinement in the penitentiary for a term not less than one year nor more than twenty (20) years.

Sec. 2. Nothing in this act shall be held to apply to or in any manner affect any indictment, trial, writ of error appeal or other proceeding, judgment or sentence, in cases of violations of the provisions of the section by this act amended, now pending in any court of this state and the same shall be conducted and adjudged as provided by the law in force before this act shall take effect, Any offender under the provisions of the section by this act amended which shall have been committed before this act takes effect shall be enquired of prosecuted and punished in accordance with the law in force at the time of the commission of such offense. Saving clause.

Sec. 3. In the opinion of the General Assembly an emergency exists; therefore, this act shall take Emergency. effect and be in force from and after its passage.

Approved April 22, 1895.

## CHAPTER 69.

## CRIMINAL CODE—MAYHEM.

(H. B. 19, by Mr. Morris.)

## AN ACT

TO AMEND SECTION SEVEN HUNDRED AND THIRTY-SIX OF THE GENERAL STATUTES OF COLORADO, BEING SECTION FORTY-EIGHT OF CHAPTER XXV., ENTITLED "CRIMINAL CODE".

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section 736 of the General Statutes of Colorado, relating to the Criminal Code, be amended to read as follows:

Definition.

Sec. 736. Mayhem consists in unlawfully depriving a human being of a member of his or her body, or disfiguring or rendering it useless. If any person shall unlawfully cut out or disable the tongue, put out an eye, slit the nose, ear or lip, or disable any limb or member of another, or shall voluntarily and of purpose put out an eye or eyes, every such person shall be guilty of mayhem, and on conviction shall be punished by confinement in the penitentiary for a term not less than one year nor more than twenty years; Provided, that no person shall be found guilty of mayhem, where the fact occurred during a fight had by consent, nor unless it appear that the person accused shall have been the assailant, or that the party maimed had in good faith endeavored to decline further combat.

Punishment.

Proviso.

Misdemeanor.

Fine and imprisonment.

But in all other cases, where the fact shall happen in actual fight, the party accused being thereof duly convicted, shall be adjudged guilty of a high misdemeanor and punished by imprisonment in the penitentiary not exceeding one year, and be fined not exceeding One Thousand Dollars.

Approved February 6, 1895.

## CHAPTER 70.

## DESERT LANDS.

(S. B. 194, by Senator Gordon.)

## AN ACT

TO PROVIDE FOR THE ACCEPTANCE BY THE STATE OF COLORADO FROM THE UNITED STATES OF THE BENEFITS OF THE ACT OF CONGRESS AS TO DESERT LANDS, APPROVED AUGUST 18, 1894; AND PROVIDING FOR THE IRRIGATION, RECLAMATION, OCCUPATION AND DISPOSAL OF THE SAME.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That the State of Colorado hereby accepts the conditions of section four (4) of an act of Congress entitled "An Act making appropriations for sundry civil expenses of the government for the fiscal year ending June 30, 1894, and for other purposes, approved August 18, 1894," together with all the grants of land to the State under the provisions of the aforesaid act.

State accepts conditions.

Sec. 2. The selection, management and disposal of said land shall be vested in the State Board of Land Commissioners as at present constituted.

Selection of land.

Sec. 3. The register of the land board shall act as secretary, and it shall be his duty to keep a careful record of the transactions of the board in substantially bound book or books, to be kept for that purpose, and which shall be known as the record and proceedings of the State Board of Land Commissioners under this act.

Register of land board act as secretary.

Sec. 4. The register of the land board shall have the custody of the records of the board; shall receive and file all proposals for the construction of irrigation works to reclaim lands selected under the provisions of this act, prepare and keep for public inspection maps or plats on a scale of two inches to the mile of all lands selected, receive entries of set-

Receive and file all proposals.

tlers on these lands and hear or receive the final proof of their reclamation under rules and regulations to be prescribed by the state board of land commissioners, and do any and all work required by the board in carrying out the provisions of this act. He shall have authority to administer oaths whenever necessary in the performance of his duties as register and secretary of the board.

Administer oaths.

Sec. 5. Any person, company of persons, associations or incorporated company desiring to construct ditches, canals or other irrigation works to reclaim land under the provisions of this act, shall file with the board a request for the selection on behalf of the state by the board of the land to be reclaimed, designating said land by legal subdivisions. This request shall be accompanied by a proposal to construct the ditch, canal or other irrigation works necessary for the complete reclamation of the land asked to be selected. The proposal shall be prepared in accordance with the rules of the board, and with the regulations of the Department of the Interior. It shall state the post-office address and residence of the parties, the source of water supply, the point of diversion, the place of storage, if stored, the location and dimensions of the proposed works, the estimated cost thereof and the carrying capacity of the ditch or canal, the price and terms at which perpetual water rights will be sold to settlers on the land reclaimed, said perpetual right to embrace a proportionate concurrent interest in the ditch, canal or other irrigation works, together with all rights and franchises attached thereto, and all water rights sold or otherwise held under said ditch or canal to have equal rights as to priority; and all contracts for the sale of water rights under this act shall be in form, and upon conditions, approved by the board. In the case of incorporated companies it shall state the name of the Company, the purpose of the incorporation, the name and places of residence of its directors and officers, the amount of its authorized and of its paid up Capital,

Company file request.

Proposal prepared in accordance with rules of board.

Shall furnish information and estimates.

Equal rights as to priority.

Shall state name of company.

Capital.



and shall be organized under the Laws of Colorado. If the applicant is not an incorporated company, the proposal shall set forth the name or names of the party or parties, and such other facts as will enable the board to determine his or their financial ability to carry out the proposed undertaking, or as may be required by the board. Nothing herein shall be construed to prevent the entry and reclamation of land under this act by individuals, duly qualified, either singly or acting together, and the state board of land commissioners shall make such rules and regulations not inconsistent with said act of Congress, or the rules and regulations of the Department of the Interior, as may be necessary to allow the acquirement of individual water rights for application to, and reclamation of specific tracts of land, not exceeding one hundred and sixty acres of land for each person, and the requirements of this act as to plats, maps, examinations, reports, bonds and contracts may, by such rules and regulations, be so modified as to effectuate and assist the reclamation and entry of land by individuals.

Enable board to determine financial ability.

Rules and regulations.

Not exceed one hundred and sixty acres for each person.

Sec. 6. A certified check payable to the State board of land commissioners for a sum of not less than two hundred and fifty (250) dollars and not more than two thousand five hundred (2,500) dollars, as may be determined by the rules of the board, shall accompany each such request and proposal, the same to be held as a guarantee of the execution of the contract with the state, in accordance with its terms, by the party submitting such proposal, in case of the approval of the same and the selection of the land by the board, and to be forfeited to the state in case of failure of said parties to enter into a contract with the state, in accordance with the provisions of this act.

Certified check shall accompany proposals.

Sec. 7. The person, company of persons associations or incorporated company making application to the board for the selection of lands by the state shall have filed with the state engineer an application

Shall file with state engineer application for permit to appropriate water.

for a permit to appropriate water for the reclamation of the lands described in the request to the board. This application for permit shall be of a form prescribed by the state engineer, and shall be accompanied by two copies of the map of the land to be selected, and which shall show accurately the location and dimensions of the proposed irrigation works. The maps of the lands and proposed irrigation shall be prepared in accordance with the regulations of the state engineer's office and the rules of the Department of the Interior.

Prepare maps.

Sec. 8. Immediately upon the receipt of any request and proposal as designated in section five (5), it shall be the duty of the secretary of the board to examine the same and ascertain if it complies with the rules of the board and the regulations of the Department of the Interior. If it does not, it is to be returned for correction; but if it does so comply, it shall be submitted to the state engineer, who shall examine the same and make a written report to the board, stating whether or not the proposed works are feasible; whether the proposed diversion of the public waters of the state will prove beneficial to the public interest; whether there is sufficient unappropriated water in the source of supply, and whether or not a permit to divert, store and appropriate water through or by the proposed works has been approved by him; whether the capacity of the proposed works is adequate to reclaim the land described; and whether or not the maps filed in his office comply with the requirements of said office, and the regulations of the Department of the Interior; also, whether or not the lands proposed to be irrigated are desert in character and such as may properly be set apart under the provisions of the aforesaid act of Congress, and the rules and regulations of the Department of the Interior thereunder. Whenever the state engineer shall be unable, from an examination of the maps and field notes submitted for his examination, to determine whether or not the proposed irrigation

Secretary of board  
examine proposal.

Be submitted to  
state engineer.

Engineer report in  
writing to board.

If the lands are  
desert lands.

If engineer unable  
to determine if  
works are feasible.

works are feasible and adequate, or whether or not the proposed diversion of the public water is beneficial to public interest; and whether or not the lands proposed to be irrigated are of such a character as to come under the provisions of the aforesaid act of Congress, he shall so report to the board, and also report the estimated cost of a survey and examination; and it shall be his duty to make, or cause to be made, by some qualified assistant, such survey or examination as will enable him to report intelligently thereon to the board, when directed by said board to make such examination or survey.

Shall report to board cost of survey.

Sec. 9. On receipt of the report of the state engineer, the register shall place the request and proposal, with the engineer's report thereon, before the board for its consideration. In case of approval the board shall instruct the register to file in the local land office a request for the withdrawal of the land described in said proposal. No request on which the state engineer has reported adversely, either as to the water supply, the feasibility of the construction, or capacity of the works, or as to the character of the lands sought to be irrigated, shall be approved by the board.

Board consider proposal.

File request for the withdrawal of land.

If engineer report adversely, board shall not approve.

Sec. 10. In case the state engineer shall report adversely upon the proposed irrigation works, or where requests and proposals are not approved by the board, the board shall notify the parties making such proposal of such action and the reasons therefor. The parties so notified shall have sixty (60) days in which to submit another proposal; but the board may, at its discretion, extend the time to six (6) months.

Board shall notify parties making proposal.

Sec. 11. Upon the withdrawal of the land by the Department of the Interior, it shall be the duty of the board to enter into a contract with the parties submitting the proposal, which contract shall contain complete specifications of the location, dimensions, character and estimated cost of the proposed ditch,

Contract—what it contains.

canal or other irrigation work, and state the price and terms upon which the state is to dispose of the lands to settlers, and such other conditions and provisions as the board may direct. This contract shall not be entered into on the part of the state until the withdrawal of these lands by the Department of the Interior and the filing of a satisfactory bond on the part of the proposed contractor for irrigation works, which bond shall be in a penal sum equal to five (5) per cent. of the estimated cost of the works, and to be conditioned for the carrying out of the provisions of the contract with the state.

Contract not entered into on part of state, until.

Bond of contractor.

Time required for construction.

Time in which to complete work.

Forfeit to state.

Failure to begin work.

Register notify parties.

Board declare bond and contract forfeited.

Sec. 12. No proposal shall be considered by the board which requires a greater time than five years for the construction of the works, and all proposals shall state that the work shall begin within six months from the date of contract, that at least one tenth of the construction work shall be completed within two years from the date of said contract; that the construction shall be prosecuted diligently and continuously to completion, and that a cessation of work under the contract with the state for a period of six (6) months after the second year, without the sanction of the board, will forfeit to the state all rights under said contract.

Sec. 13. Upon the failure of any parties, having contracts with the state for the construction of irrigation works, to begin the same within the time specified by law, or to carry on said work as in their contract provided, or to complete the same within the time or in accordance with the specifications of the contract with the state land board and the provisions of this act, it shall be the duty of the register to give such parties written notice of such failure; and if, after a period of sixty (60) days, they have failed to proceed with the work, or to conform to the specifications and conditions of their contract with the state, it shall be the duty of the state land board to declare the bond and contract of such parties forfeited to the state, and notify the contractors by letter to the ad-

dress given in the proposal, and to give notice once a week, for a period of four weeks, in some newspaper of general circulation in the county in which the work is situated, and in one newspaper at the State Capitol, in like manner and for a like period, of the forfeiture of said contract; and that upon a day fixed, proposals will be received at the office of the register, in the capitol at Denver, for the purchase of the incomplete works and for the completion of said contract. The time for receiving said bids to be at least sixty (60) days after the issuing of the first notice of forfeiture. The money received from the sale of partially completed works under the provisions of section 12 of this act, shall first be applied to the expense incurred by the state in their forfeiture and disposal, to satisfying the bond, and to the satisfaction, pro rata, of adjudicated liens for labor or materials; and the surplus, if any exists, shall be paid to the original contractors with the state.

Advertise  
forfeiture of  
contract.

Receive bids for  
purchase of works.

How money from  
sale shall be  
applied.

Sec. 14. Nothing in this act shall be construed as authorizing the board to obligate the state to pay for any work constructed under any contract, or to hold the state in any way responsible to settlers for the failure of contractors to complete the work according to the terms of their contracts with the state.

State not  
responsible for  
failure of  
contractors.

Sec. 15. Immediately upon the withdrawal of any land for the state by the Department of the Interior, and the inauguration of work by the contractors, it shall be the duty of the board, by publication once each week, in one newspaper of the County in which said lands are situated; and in one newspaper at the state capitol for a period of four weeks; to give notice that said land is open for settlement, and the price and terms upon which said land will be sold to settlers by the state.

Board shall  
publish notice  
that land is open  
for settlement.

Sec. 16. Any citizen of the United States, or any person having declared his intention to become a citizen of the United States, over the age of twenty-one years, may make application, under oath, to the board, to enter any of said land in an amount not to

Who may make  
application to  
enter land.

What application shall state.

exceed one hundred and sixty (160) acres for any one person; and such application shall set forth that the person desiring to make such entry does so for the purpose of actual reclamation, cultivation and settlement in accordance with the act of Congress, and the laws of this state relating thereto; and that the applicant has never received the benefit of the provisions of this act, to an amount greater than one hundred and sixty (160) acres, including the number of acres specified in the application under consideration. Such application must be accompanied by a certified copy of a contract for a perpetual water right, made and entered into by the party making application, with the person, company or association who have been authorized by the board to furnish water for the reclamation of said lands; and if said applicant has at any time entered land under the provisions of this act he shall so state in his application, together with description, date of entry and location of said land. The board shall file in its office the application and papers relating thereto, and, if allowed, issue a certificate of location to the applicant. All applications for entry shall be accompanied by a payment of twenty-five cents per acre, which shall be paid as a partial payment on the land if the application is allowed; and all certificates, when issued, shall be recorded in a book to be kept for that purpose. If the application is not allowed, the twenty-five cents per acre accompanying it shall be refunded to the applicant. The board shall dispose of all lands accepted by the state under the provisions of this act at a uniform price of fifty cents per acre, half to be paid at the time of entry and the remainder at the time of making final proof by the settler.

Contract for water right.

Board shall file application.

All applications shall be accompanied by a payment of twenty-five cents per acre.

Price of land fifty cents per acre.

All moneys to be deposited with state treasurer.

Sec. 17. As provided in the act of Congress, all moneys received by the board from the sale of lands selected under the provisions of this act shall be deposited with the state treasurer, and such sums as may be necessary shall be available for the payment of the expenses of the board and of the state en-

gineer's office incurred in carrying out the provisions of this act. Such expenses shall be paid by the state auditor in the manner provided by law, upon vouchers duly approved by the board for the work performed under its direction, and by the state engineer for all work performed by the state engineer's office; and any balance remaining over and above the expense necessary to carry out the provisions of this act shall constitute a trust fund in the hands of the state treasurer, to be used for the reclamation of other desert lands.

Auditor shall pay expenses incurred.

Balance constitute a trust fund.

Sec. 18. Within one year after any person, company of persons, association or incorporated company, authorized to construct irrigation works under the provisions of this act, shall have notified the settlers under such works that they are prepared to furnish water under the terms of their contract with the state, the said settlers shall cultivate and reclaim not less than one-sixteenth part of the land filed upon, and within two years after the said notice, the settler shall have actually irrigated and cultivated not less than one-eighth of the land filed upon, and within three years from the date of said notice, the settler shall appear before the register, or a judge or clerk of the district court, or judge of the county court, in the county in which such land is situated, as designated by the register, and make final proof of reclamation, settlement and occupation, which proof shall embrace evidence that he has a perpetual water right for his entire tract of land sufficient in volume for the complete irrigation and reclamation thereof; that he is an actual settler thereon; and has cultivated and irrigated not less than one-eighth part of said tract, and such further proof, if any, as may be required by the regulations of the Department of the Interior or the board. The officer taking this proof shall be entitled to receive a fee, to be fixed by the state board of land commissioners, which fee shall not exceed five (5) dollars and be paid by the settler and shall be in addition to the price paid to

Irrigation company prepared to furnish water.

Amount of land to be cultivated.

Settler make final proof.

Evidence that he has perpetual water right.

Fee of officer taking proof.

All proofs shall be accompanied by final payment.

the state for the land. All proofs so received shall be submitted by the register to the board and shall be accompanied by the last final payment for said land, and, on the approval of the same by the said board, they shall be forwarded to the Secretary of the Interior, with a request that a patent to said lands be issued to the State.

When U. S. issues patent to the state, the state shall issue a patent to the settler.

Sec. 19. Upon the issuance of a patent to any lands by the United States to the State, notice shall be forwarded to the settler upon such land. It shall be the duty of the board, under the signature of its president and attested by its secretary, to issue a patent to said lands from the state to the settler. All water rights acquired under the provisions of this act shall attach to and become appurtenant to the land as soon as the title passes from the United States to the state. Any person, company or association furnishing water for any tract of land shall have a first and prior lien on said water right and land upon which said water is used, for all deferred payments for said water right; said lien to be in all respects prior to any and all other liens created or attempted to be created by the owner and possessor of said land; said lien to remain in full force until the last deferred payment for the water right is fully paid and satisfied according to the terms of the contract under which said water right was acquired; the contract for the water right upon which the afore-said lien is founded to be recorded in the office of the county clerk of the county where said land is situate. That upon default of any of the deferred payments secured by any lien under the provisions of this act, the person, company of persons, association or incorporated company holding or owning said lien, may foreclose the same according to the terms and conditions of the contract granting and selling to the settler the water right; all sales to be advertised in a newspaper of general circulation, published in the county where said land and water right is situate, for six (6) consecutive weeks, and to be sold to the

First lien for all deferred payments for water.

Contract to be recorded with county clerk.

All sales by foreclosure to be advertised.



highest bidder at the front door of the court house of the county, or such place as may be agreed upon by the terms of the aforesaid contract; and the sheriff of said county to give all notices of sale and to sell all property, and to make and execute a good and sufficient deed to the purchaser thereof hereinafter provided. And at such sale no person, company of persons, association or incorporated company, owning or holding any lien, shall bid in or purchase any land or water right at a less price than the amount due on said deferred payment for said water right and land, and the costs incurred in making the sale of said land and water right. The sheriff shall execute a certificate of sale as in case of sale of an execution subject in all respects to redemption as in such case; and if not redeemed the sheriff shall execute a deed as upon sale on execution.

Sheriff sell property.

Purchase price shall cover amount due on land.

Sheriff execute certificate of sale.

Sec. 20. The maps of the lands selected under the provisions of this act shall show the location of the canals or other irrigation works approved in the contract with the board, and all lands filed upon shall be subject to the right of way of such canals or irrigation works; said right of way to embrace the entire width of the canal and such additional width as may be required for its proper operation and maintenance, the width of right of way to be specified in the contracts provided for in this act.

Maps shall show location of canals approved in contract.

Sec. 21. The board shall provide suitable rules for the filing of proposals for constructing irrigation works, and for the entry and payment of the land by settlers, and for the forfeiting of entry by settlers upon failure to comply with the provisions of this act. There shall be kept in the office of the board, for public inspection, copies of all maps, plats, contracts for the construction of irrigation works, and of the entries of land by settlers. It shall require from each person, company of persons, association or incorporated company engaged in the construction of irrigation works, under the provisions of this act, an annual report, to be submitted to the board on or before

Board shall provide rules.

Board shall require an annual report.

the first day of November of each year, this report to show the number of water rights sold, the number of users of water under said irrigation works, the legal subdivisions of land for which water is to be furnished, the names of the officers of the company, the acreage of land which the said irrigation works is prepared to supply with water, and such other data as the board sees fit to require. The rules required by this section may be waived in the case of irrigation works being constructed by a person, colony or association of persons to furnish water for land settled upon and being reclaimed by themselves.

Rules may be waived.

Duties of employes.

Sec. 22. The board shall prescribe the duties of all its employes, and shall collect the following fees:

Fees.

For filing each application, one dollar; for filing each proof, one dollar; for issuing each patent, one dollar; for making certified copies of papers or records, the same fee as provided for to be charged by the secretary of state for like services.

Register shall keep fee book.

And a fee book shall be kept by the register, showing all fees received by him from any source whatever. The money collected for fees shall be paid to the treasurer of the state and by him credited to the fund created by virtue of this act.

Board shall issue report.

Sec. 23. The board shall issue, on or before the thirtieth day of November of each year, a report setting forth in detail the names, location and character of the irrigation works in process of construction, the acreage and legal sub-divisions of land intended to be reclaimed, the estimated cost of said irrigation works, the price of water rights from such irrigation works, and the terms of payment for both water rights and land. Not less than one thousand copies of such report shall be printed for gratuitous distribution.

One thousand copies of report shall be printed.

Repeal.

Sec. 24. All laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

Emergency.

Sec. 25. This act shall take effect and be in force from and after its passage.

Approved March 15, 1895.

## CHAPTER 71.

## DISTRICT COURTS—ELEVENTH JUDICIAL DISTRICT, TERMS OF.

(S. B. 146, by Senator Pease.)

## AN ACT

TO AMEND SECTION ONE (1) OF AN ACT ENTITLED "AN ACT FIXING THE TERMS OF THE DISTRICT COURT OF THE ELEVENTH JUDICIAL DISTRICT OF THE STATE OF COLORADO; PROVIDING FOR THE ATTENDANCE OF JURORS AT THE TERMS SO FIXED, AND FOR THE DISPOSITION OF ACTIONS AND PROCEEDINGS PENDING IN SAID COURTS; AND TO REPEAL ALL OTHER ACTS INCONSISTENT HEREWITH", APPROVED MARCH 17, 1893.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section 1 of "An Act fixing the terms of the district court of the eleventh judicial district of the State of Colorado; providing for the attendance of jurors at the terms so fixed, and for the disposition of actions and proceedings pending in said courts; and to repeal all other acts inconsistent herewith," approved March 17, 1893, be and the same is hereby amended so as to read as follows:

Sec. 1. Terms of the district court shall be held in the eleventh judicial district of the State of Colo- Terms.  
rado, in each and every year, in the several counties comprising said district, commencing on the days following, to-wit: In the county of Chaffee, upon the Chaffee county.  
third (3rd.) Monday in January and the second (2nd.) Monday in July; in the county of Custer, on the second (2nd.) Tuesday in June and the second (2nd.) Monday in December; in the county of Fremont, on the Fremont county.  
second (2nd.) Monday in April and the second (2nd.) Monday in November; and in the county of Park, on Park county.  
the third (3rd.) Monday in May and the third (3rd.) Monday in October.

Emergency.

Sec. 2. In the opinion of this General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved March 22, 1895.

## CHAPTER 72.

### DISTRICT COURTS—FOURTH JUDICIAL DISTRICT, JUDGE OF.

(H. B. 10, by Mr. Humphrey.)

## AN ACT

TO INCREASE THE NUMBER OF DISTRICT JUDGES FOR THE FOURTH JUDICIAL DISTRICT OF THE STATE OF COLORADO BY THE ADDITION OF ONE MORE JUDGE SO THAT THE TOTAL NUMBER OF DISTRICT JUDGES IN SAID DISTRICT SHALL BE TWO.

*Be it enacted by the General Assembly of the State of Colorado:*

Number of judges.

Section 1. The number of District Judges for the Fourth Judicial District for the State of Colorado shall be increased by the addition of one Judge making in all two Judges for the said Fourth Judicial District.

Governor appoint.

Sec. 2. The Governor as soon as practicable after the taking effect of this Act, shall appoint by and with the advise and consent of the Senate, one additional Judge for said Fourth Judicial District, as in case of vacancy, who shall hold his office until the next general election and until his successor is elected and qualified.

Hold office.

Emergency.

Sec. 3. In the opinion of the General Assembly an emergency exists, therefore this Act shall take effect and be in force from and after its passage.

Approved January 22, 1895.

## CHAPTER 73.

DISTRICT COURTS—TWELFTH JUDICIAL DISTRICT,  
DEFINING AND FIXING TERMS OF.

(S. B. 206, by Senator Adams.)

## AN ACT

DEFINING THE TWELFTH JUDICIAL DISTRICT OF THE STATE OF COLORADO, AND FIXING THE TERMS OF DISTRICT COURT IN THE SEVERAL COUNTIES OF SAID DISTRICT; AND TO REPEAL ALL ACTS AND PARTS OF ACTS INCONSISTENT WITH THE PROVISIONS OF THIS ACT.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That the Counties of Conejos, Costilla, Mineral, Rio Grande and Saguache shall constitute the twelfth judicial district of the State of Colorado.

Sec. 2. Terms of the district court shall be held in the twelfth judicial district of the State of Colorado in each and every year, commencing upon the days following, to wit: Terms of court.

In the county of Conejos, upon the first Tuesday in May and the first Tuesday in December; in the county of Costilla, upon the first Tuesday in April; in the county of Rio Grande, upon the third Tuesday in April and the first Tuesday in October; in the county of Mineral, upon the fourth Tuesday in May and the second Tuesday in November; in the county of Saguache, upon the second Tuesday in June and the third Tuesday in October. In Conejos county.  
In Costilla county.  
In Rio Grande county.  
In Mineral county.  
In Saguache county.

Sec. 3. That "An act to amend section thirteen (13) of an act entitled 'An act to establish the several judicial districts of the State; to provide for the appointment of judges, and fix the terms of court therein; and to repeal all acts and parts of acts in conflict therewith,'" Approved April 8, 1893, and all other acts and parts of acts in conflict with the provisions of this act are hereby repealed; Provided, however, that all Repeal.

Saving clause.

actions, causes, issues and proceedings, civil, criminal and special, which are pending in the district court of any of the above named counties, including causes in which the place of trial has been changed to any such county and including attachments, recognizances and undertakings of every kind, shall be held to be pending at the first term of said court in and for the county wherein the same is now pending as fixed by this act and may be regularly proceeded with at such term and in the same manner and with the same effect as though pending at the next regular term as fixed by law prior to this act; and all recognizances, bonds, and undertakings whereby any person or persons are required to appear or do any other act at any term of any said courts as heretofore fixed by law, shall be deemed to require the same act or appearances at the first term of the said court after this act shall take effect as filed herein, and proceedings thereon at such term herein fixed shall be taken the same as they might have been at the term particularly specified therein.

Approved April 8, 1895.

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## CHAPTER 74.

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### DRUNKARDS.

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(S. B. 265, by Senator Carney.)

## AN ACT

TO PROVIDE FOR THE TREATMENT AND CURE OF HABITUAL DRUNKARDS, AND TO REPEAL ALL ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH.

*Be it enacted by the General Assembly of the State of Colorado:*

Friend may file  
petition.

Section 1. Any friend of an habitual drunkard, as hereinafter defined, or any officer of any charitable organization, may file a petition in the county court in the county where such drunkard may reside, setting forth the sex, financial condition, the age, as

near as may be, and the nature and extent of the disease of such drunkard in reference to the use of alcoholic, narcotic or other stimulants, and stating the belief of petitioner or affiant that such disease has passed beyond the control of said drunkard, and asking for an order to send such drunkard to an institution for the treatment of such disease at the expense of the county. The petition or affidavit may also contain such other facts as the applicant may deem proper in order to inform the court of the condition of such drunkard.

Asking for order to send drunkard to institute at expense of county.

Such petition shall be verified by the petitioner, and the petition or affidavit shall be approved and signed by ten (10) freeholders of the county.

Petition signed by ten freeholders.

Sec. 2. When the petition is filed in the County court, the county court shall give written notice to the county attorney of the filing of such petition, and it shall be the duty of such county attorney to attend the hearing on behalf of the county, and the county judge shall issue a notice which shall be served on the said drunkard five days before the petition is heard, unless the said drunkard shall voluntarily appear. When the notice has been served five days, or the drunkard shall appear, the petition shall be heard, and if it appear to the county judge that the matters set forth in the petition are true, and that the said drunkard has been a bona fide resident of the county at least six months preceding, and is financially unable to pay for the treatment of said disease, and has consented and agreed thereto, the said county judge shall immediately make an order directing that said drunkard be sent to an institution for the cure of drunkenness, to be named by said county judge, at the expense of the said county; Provided, said institution is located in the State of Colorado, and that the said institution can show that not less than seventy-five per cent. of persons who have been treated at said institution for drunkenness have been cured thereat for at least one year.

County attorney attend hearing.

Petition heard after five days notice.

Judge make order.

Institute must be located in Colorado.

Give petitioner a certified copy of order.

Sec. 3. When the county court shall make the order hereinbefore mentioned, he shall give a copy of the same to the petitioner, which shall be certified to by the county judge, under the seal of his court.

Claim verified by manager.

Sec. 4. When the said institution shall present its claim to the board of county commissioners of the county where such drunkard resides for the treatment of such drunkard, in accordance with said order, the said claim shall be verified by the manager or person in charge thereof, and attached to it shall be the certified copy of the order heretofore mentioned.

County commissioners shall allow claim.

Sec. 5. When the said claim, with certified copy of said order attached, is presented to the board of county commissioners of the county of the drunkard's residence, they shall allow the same, as in case of other claims against the county, and make an order on the county treasurer for the payment of the same; Provided, all such claims shall be reasonable and not in excess of current rates; that no such claim shall be allowed for a greater amount than twenty-five (25) dollars per week for the treatment, including medical attendance and medicines of such drunkard, nor for a greater amount than seven (7) dollars per week for his board, lodging and keeping.

Claim shall not be in excess.

Amount for treatment.

Amount for board.

Definition of a drunkard.

Sec. 6. A drunkard, as mentioned in the foregoing sections, shall be deemed to include any person who has acquired the desire of using alcoholic or malt drinks, morphine, opium, cocaine or other narcotic substance used for the purpose of producing intoxication, to such a degree as to deprive him or her of reasonable self-control.

No fees for filing petition.

Sec. 7. No fees or charges of any kind shall be made or allowed to any judge, officer, witness or other person in or about the filing of the petition or the hearing thereon, or any proceedings thereunder.

Repealed.

Sec. 8. Chapter one hundred, entitled "gold cure institutes," approved March 31. 1893, and all



laws or parts of laws in conflict with the provisions of this act are hereby repealed.

Sec. 9. Whereas, in the opinion of the General <sup>Emergency.</sup> Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 13, 1895.

## CHAPTER 75.

### FELONIES—ATTACKS ON TRAINS.

(S. B. 127, by Senator Pease.)

## AN ACT

DECLARING CERTAIN ATTACKS UPON OR STOPPAGE OF RAILROAD TRAINS, CARS OR LOCOMOTIVES, OR UPON ANY OFFICER OR EMPLOYE CONNECTED THEREWITH, WITH THE INTENT TO COMMIT A FELONY, TO BE FELONIES; AND FOR THE PROSECUTION AND PUNISHMENT THEREFOR.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. Any person or persons who shall wilfully and maliciously make any assault or attack upon or against, or who shall stop or attempt to stop any railroad train, railroad car or railroad locomotive within this state, for the purpose or with the intent to commit murder, robbery larceny or any other felony upon or against any engineer, conductor, fireman, brakeman or any officer or employe connected with the said locomotive, train or cars, or upon or against any express messenger or mail agent on said train, or upon or against any person in any of the cars thereof, on conviction thereof, shall be deemed guilty of a felony and shall be punished by imprisonment in the penitentiary for a term of not less than ten (10) years, or such punishment may extend to imprisonment for life, in the discretion of the court.

Assault or attack on trains with intent to murder or commit felony.

Guilty of a felony.  
Punishment.

Sec. 2. If any person or persons shall, by threats or the use of deadly weapons, or in any other

By threats or use of deadly weapons

manner, compel any engineer, conductor, fireman, brakeman or any officer or employe in charge of or connected with any locomotive, train or cars within this state, to stop or delay such locomotive, train or cars, with intent to commit any felony, such person or persons, upon conviction thereof, shall be deemed guilty of a felony and shall be punished by imprisonment in the penitentiary for a term of not less than ten (10) years, or such punishment may extend to imprisonment for life, in the discretion of the court.

With intent to  
commit any  
felony.

Punishment.

Whoever counsels,  
aids or abets,  
deemed principals.

Sec. 3. Any or all persons who shall counsel, aid, abet or assist in the perpetration of any of the offenses set forth in the preceding sections, on conviction thereof, shall be deemed to be principals, and shall suffer the punishment therein prescribed.

Not necessary to  
prove intent.

Sec. 4. Upon the trial of any and all persons charged with the violation of this act, it shall not be necessary to prove, nor shall it be deemed material to a conviction, that the defendant or defendants specifically intended to commit the offenses, or any of them herein set forth, upon or against any particular person; but it shall be sufficient if it is proven to the satisfaction of the court and jury trying the cause, as the result of such unlawful attack, some person or persons were intended to be killed, robbed or injured, as the case may be, or that such attack was perpetrated with the design to commit some felony.

Design to commit  
a felony.

Repeal.

Sec. 5. All acts and parts of acts inconsistent with the purposes of this act are hereby repealed.

Emergency.

Sec. 6. Whereas, in the opinion of the General Assembly, an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 8, 1895.

## CHAPTER 76.

## FLAGS.

(H. B. 8, by Mr. Warren.)

## AN ACT

RELATING TO THE DISPLAY OF FLAGS ON PUBLIC AND PRIVATE BUILDINGS, AND IN PROCESSIONS AND PARADES AND PROVIDING A PENALTY FOR THE VIOLATIONS OF THIS ACT.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. It shall be unlawful to display any flag upon any State, County or municipal buildings in this State, except the flags of the United States. Flags of U. S. Provided, however, That whenever any foreigner shall become the guest of the United States, or of the State of Colorado, or of any city of this State, or upon the occasion of the visit of any foreign minister, envoy or ambassador in his official or representative capacity, the flag of the country of which such person shall be a citizen may be displayed upon such public buildings; and it shall be unlawful to display Unlawful to display anarchistic flags. the flag of any anarchistic society upon any public or private building or in any street procession or parade within the State of Colorado.

Sec. 2. Any violation of this Act is hereby declared a misdemeanor and shall be punished by a Misdemeanor. fine of not less than fifty nor more than five hundred Fine. dollars.

Approved March 5, 1895.

## CHAPTER 77.

## FUNDING—CREATING ADDITIONAL BONDED INDEBTEDNESS.

(Sub. for H. B. 360, by Mr. Lowell.)

## AN ACT

TO PROVIDE FOR THE FUNDING OF ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$175,000) OF THE INDEBTEDNESS OF THE STATE OF COLORADO, ONE HUNDRED THOUSAND DOLLARS OF WHICH IS TO PROVIDE FOR CASUAL DEFICIENCY OF REVENUE, AND SEVENTY-FIVE THOUSAND DOLLARS TO MEET EXPENSES INCURRED IN SUPPRESSING INSURRECTION, AND APPROPRIATING MONEY OUT OF THE GENERAL REVENUE FUND TO PAY THE FIRST YEAR'S INTEREST ON THE SAME.

*Be it enacted by the General Assembly of the State of Colorado:*

Deficiency.

Section 1. It appears that during the fiscal years 1893 and 1894, there was a casual deficiency of revenue, resulting in Just claims against the state, remaining unpaid, said claims being for rent, printing, publishing constitutional amendments, scalp bounties, county treasurer's bounty relief, insurance, moving to capitol building, stock indemnity, game and fish warden and commissioner, expenses of the State Board of Horticulture, expenses of the Special Session of the Legislature, Coal Mine Inspector Examiner, Steam Boiler Inspector, Metalliferous Mines Inspector, Board of Medical Examiners, unpaid salary and expenses of officers, and their assistants, acting under authority of law, State Educational, Reformatory and penal institutions, and other legal outstanding indebtedness of like Nature, and that during said years it was deemed necessary by the Governor to call out the National Guards of the State for the purpose of suppressing insurrection and defending the State, thereby causing large expenditures, and increased indebtedness, with no fund or revenue to meet the same.

Suppress  
insurrection.

Sec. 2. The Governor, the Treasurer and the Secretary of State of Colorado are hereby authorized to issue the coupon bonds of the State of Colorado in the sum of One Hundred and Seventy Five Thousand Dollars (\$175,000), or so much thereof as may be necessary, as hereinafter set forth; one hundred thousand dollars of said bonds, being for the payment of the deficits resulting from said casual deficiency of revenues for the years 1893 and 1894, and seventy five thousand dollars being for the payment of expenses incurred in suppressing insurrection; the said bonds to be issued in denominations as follows: One hundred shall be of the denomination of one thousand dollars (\$1,000.00) each, and seven hundred and fifty of the denomination of one hundred dollars (\$100.00) each, and to be numbered from one to eight hundred and fifty, both inclusive; said bonds shall bear interest at a rate to be determined by the Governor, not to exceed four per centum per annum, the interest to be evidenced by coupons attached to said bonds, payable semi-annually at the office of the State Treasurer, at the City of Denver, Colorado, or at such banking house in the City of New York as the Governor may designate. The principal of said bonds shall be due and payable in fifteen years from the date of their issue, at the office of the State Treasurer of Colorado. Said bonds shall be registered in the office of the Auditor of State, and his certificate of such registry, attested by the seal of his office, affixed to each bond, shall be evidence of their legal issue.

Sec. 3. The bonds issued under this act shall be known as "funding bonds, series 1895", and shall be signed by the Governor, countersigned by the State Treasurer, and attested by the Secretary of State, who shall affix the Great seal of the State to each bond. They shall be numbered and registered in a book kept for that purpose by the State Treasurer, in the order in which they are issued. Each bond shall state upon its face the amount for which it is issued, to whom issued, for what purpose issued,

Title printed on  
reverse side of  
bond.

naming the total amount for casual deficiency fund, and the amount for insurrection fund, the date of its issue, and the title of this act, together with the section and article of the constitution authorizing this act; and the title and text of this act shall be printed upon the reverse side of each of said bonds. Only so many of said bonds shall be issued as may be necessary to pay the outstanding bills and certificates mentioned herein.

Board of  
equalization  
levy tax.

Sec. 4. Whenever the bonds are issued as provided in this act, it shall be the duty of the State Board of Equalization, to levy and assess a special tax on all taxable property in this state sufficient in amount to meet the semi-annual interest accruing on said bonds, which tax when collected, shall be paid into the State Treasury to the credit of the interest fund, which shall be divided by the State Treasurer

Divided in proper  
proportion.

in proper proportion between the casual deficiency fund and the insurrection fund; and for the ultimate redemption of said bonds, there shall be levied annually for five years after nine years from the date of their issue, such tax upon all the taxable property of the state as shall create an annual fund equal to twenty per cent. of the whole amount of the bonds issued, which fund shall be called the "funding bonds series 1895," sinking fund, and which shall also be divided by the Treasurer in proportion between the "casual deficiency fund", and the "insurrection fund".

Annual tax.

All taxes for interest on, and for the redemption of such bonds, shall be levied and collected as other state taxes, and shall be paid into the State Treasury in cash only; the proceeds thereof shall be kept by the State Treasurer, as special and distinct funds under their respective heads, to be used in payment of interest on and redemption of said bonds, or for their purchase as hereinafter provided, and for no other purpose whatever; provided, that whenever any surplus remains to the credit of the interest fund, after the full payment of the interest maturing in any year, the State Treasurer shall cause such surplus to be

Taxes to be paid in  
cash only.

Surplus of interest  
fund to be trans-  
ferred to sinking  
fund.

transferred to the credit of the "Funding Bond Series 1895," Sinking Fund; all moneys belonging to the said sinking fund may be invested by the State Treasurer in any of the said bonds issued under this act. To be invested by state treasurer.

Sec. 5. The Treasurer shall include in his biennial report a statement of the interest collected in pursuance of this act, the amount paid on the "Casual Deficiency" Funded Debt, and the amount paid on the "Insurrection" funded debt; also the amount, if any, carried to the sinking fund, and how invested. When any of the bonds are purchased under this act or redeemed, it shall be the duty of the Treasurer to cancel the same so that they can be plainly identified, and cause the record of such cancellation to be made in the registry books of both the State Treasurer and State Auditor, and they shall be kept on file in the State Treasurer's office; and any such purchases or cancellations shall also appear in said biennial statement of the Treasurer. Biennial report of treasurer.  
Treasurer cancel bonds when redeemed.  
Record by auditor and treasurer.

Sec. 6. For the payment of the coupons representing the first year's interest to accrue due on the bonds issued under this act, the State Treasurer is hereby authorized and directed to apply any money at that time in his hands belonging to the general revenue fund, or the fund accruing from interest on bank deposits; and so much money as may be necessary therefor is hereby appropriated out of said funds for the payment of said interest. Payment of interest.  
Appropriation for.

Sec. 7. The Governor and Attorney General are authorized to prescribe the form of the bonds to be issued under this act, and the coupons attached thereto, subject to the provisions contained in section 2 of this act; and when said issue is made as herein provided, the Treasurer shall be authorized to dispose of the same for cash at not less than par, and deposit the proceeds thereof in the treasury to the credit of the "Funding Bonds Series 1895," fund, and dividing said fund in proportion between the casual deficiency fund and the insurrection fund as herein provided, to Form of bonds.  
Treasurer dispose of at not less than par.

**Pay outstanding indebtedness.** be used respectively in the payment of the outstanding indebtedness mentioned in section 1 of this act, resultant from said casual deficiency of revenue, and the expenses of suppressing said insurrection which may have been, or may hereafter be audited by the Governor, Attorney General and State Auditor, as outstanding bills and certificates of indebtedness of the fiscal years 1893 and 1894.

**Audited by.**

**Irrepealable.**

Sec. 8. This act shall not be revised, amended or repealed until the total amount of indebtedness herein provided for is wholly paid and discharged.

**Emergency.**

Sec. 9. In the opinion of the General Assembly an emergency exists, therefore, this act shall take effect and be in force from and after its passage.

Approved April 8, 1895.

## CHAPTER 78.

### FURNITURE—SALE OF.

(H. B. 526, by Mr. Lowell.)

## AN ACT

TO PROVIDE FOR THE SALE OF SUCH FURNITURE, CARPETS AND OTHER PROPERTY OF THE STATE AS MAY HAVE BECOME WORN AND OF NO FURTHER USE.

*Be it enacted by the General Assembly of the State of Colorado:*

**Examine and condemn.**

Section 1. The governor, secretary of State and State auditor are authorized, and it shall be their duty, from time to time to examine and condemn any furniture, carpets or other personal property belonging to the State, when the same shall have become worn out or otherwise useless to the State, and direct the sale of the same in the manner hereinafter provided. Provided that any of said furniture or other property that may be necessary to furnish the rooms of the Grand Army of the Republic in the State Capitol shall be furnished free of charge.

**Furnish rooms of Grand Army.**



Sec. 2. After the condemnation of any such property as provided in section one (1) it shall be the duty of the secretary of state to advertise the same for sale, in the official newspaper of the state, for the period of not less than once a week for four consecutive weeks; and if the said sale shall be made at any other place than the State Capitol, then said advertisement shall also be published in some newspaper printed in the county where said sale is to be made; said advertisement shall state the time and place where the sale is to be made; and said property shall be sold at public auction to the highest bidder, for cash, and the proceeds thereof shall be paid over to the state treasurer and placed to the credit of the general fund.

Secretary of state  
advertise sale.

Sold at public  
auction.

Sec. 3. Whereas, In the opinion of the General Assembly an emergency exists; now, therefore, this act shall take effect and be in force from and after its passage.

Emergency.

Approved April 8, 1895.

## CHAPTER 79.

### GENERAL ASSEMBLY—OFFICERS AND EMPLOYES.

(H. B. 138, by Joint Com.)

## AN ACT

TO AMEND SECTIONS 1 AND 2 OF AN ACT ENTITLED 'AN ACT TO AMEND GENERAL SECTIONS 1579 AND 1580; AND TO REPEAL GENERAL SECTION 1581 OF THE GENERAL STATUTES OF THE STATE OF COLORADO', APPROVED JANUARY 31, 1891.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That general section 1579 of the General Statutes of the State of Colorado of 1883 be and the same is hereby amended so as to read as follows: Until otherwise provided by Law, the officers and employees of the respective houses of the Gen-

Officers and  
employees.

eral Assembly of Colorado may be and shall not exceed the following:

#### OF THE SENATE.

Senate.	A secretary, assistant secretary, reading clerk, stationery and bill clerk, docket clerk, sergeant-at-arms, three assistant sergeants-at-arms, chaplain, chief engrossing clerk, with not more than six assistant engrossing clerks, chief enrolling clerk, with not more than six assistant enrolling clerks, chief printing clerk, with not more than three assistant printing clerks, two messengers and one telephone messenger, doorkeeper, two assistant doorkeepers, two janitors for chamber, two janitors for committee rooms, one janitor for cloak room, night watchman, four pages and a clerk for each of the following named committees: Judiciary, revision, finance, banking and insurance, corporations and railroads, agriculture and irrigation, education and educational institutions, and six other committee clerks to be assigned by the president of the Senate to the remaining committees, as may be required, and one clerk for president of the Senate to be selected by himself.
Number of.	
Shall not exceed.	
Committee clerks.	

#### OF THE HOUSE.

House.	A chief clerk, assistant clerk, reading clerk, stationery and bill clerk, docket clerk, sergeant-at-arms, three assistant sergeants-at-arms, chaplain, chief engrossing clerk, with not more than eight assistant engrossing clerks; chief enrolling clerk, with not more than eight assistant enrolling clerks; chief printing clerk, with not more than four assistant printing clerks; two messengers and one telephone page, doorkeeper, two assistant doorkeepers, two janitors for chamber, two janitors for committee rooms, two janitors for cloak rooms, night watchman, matron for ladies' gallery, six pages, and a clerk for each of the following named committees: Judiciary, Revision and Constitution, Finance, Ways and Means, Corporations and Railroads, Agriculture and Irrigation and Stock (jointly), Appropriations and Expenditures,
Number of.	
Committee clerks.	

and Fees and Salaries (jointly), Education and State Institutions (jointly), and six additional committee clerks to be assigned by the speaker to the remaining committees as may be required. Either house may also employ a stenographer, an interpreter and official press reporter whenever necessary, and the president of the Senate or speaker of the House may, at the request of the Engrossing or Enrolling Committees, when the labor required to be done by the clerks of said committees cannot be done by the said clerks, detail any other clerks of the Senate or House to assist in the labor to be done by said committees. All such officers and employes may be selected by the house employing them, either by ballot or resolution, and they shall perform the duties usually performed by like officers and employes, and such other duties as may be required of them by the proper members or officers.

President of senate  
or speaker of house  
detail clerks.

Selected by ballot  
or resolution.

Sec. 2. That general section fifteen hundred and eighty of the General Statutes of the State of Colorado of 1883 be and the same is hereby amended to read as follows: The compensation of said officers and employes shall be as follows: The said secretary and chief clerk shall each receive \$6 per day; assistant secretary and assistant clerk, each \$5 per day; reading clerks, \$5 per day; stationery and bill clerks, \$4 per day; docket clerks, \$5 per day; sergeant-at-arms, \$5 per day; assistant sergeant-at-arms and night watchman \$4 per day; messengers, doorkeepers, assistant doorkeepers and janitors, \$3 per day; chaplains, \$3 per day; pages, \$2.00 per day; and telephone page \$1.75 per day; chief engrossing clerks, chief enrolling clerks, chief printing clerks, clerks of Judiciary Committees, clerks of Revision Committees, clerks of Finance Committees and stenographers, each \$5 per day; all other committee clerks the sum of \$4 per day; the clerk for the President of the Senate and matron for ladies' gallery, \$4 per day; interpreter, \$4 per day; and official press reporters, \$4 per day;

Compensation of  
officers and  
employes.

**When pay ceases.** Provided, That the pay of all officers and employes shall cease and determine upon final adjournment of the Legislature, except the pay of the secretary of the Senate, assistant secretary of the Senate, clerk and assistant clerk of House, who shall each be allowed pay for ten days after such final adjournment, for completing the records of the proceedings of the session.

**Ten days after adjournment.**

**Emergency.** Sec. 3. Whereas, In the opinion of the General Assembly an emergency exists; therefore this act shall take effect and be in force from and after its passage.

Approved February 6, 1895.

## CHAPTER 80.

### GUARDIAN AND CHILD.

(S. B. 89, by Senator Hartzell.)

## AN ACT

TO AMEND GENERAL SECTION SIXTEEN HUNDRED AND ONE OF THE GENERAL STATUTES OF 1883, BEING SECTION SEVENTEEN, CHAPTER FORTY-EIGHT, THEREOF.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That general section 1601, being section 17 of chapter 48 of the General Statutes of 1883, is hereby amended so as to read as follows:

**Married woman joint guardian.**

Sec. 17. Every married woman is hereby constituted and declared to be the joint guardian of her children with her husband, with equal powers, rights and duties in regard to them with the husband. Upon the death of either father or mother, the surviving parent, whether of full age or a minor, of a child likely to be born or of a child under the age of twenty-one years and unmarried, may by deed or last will, duly executed, dispose of the custody and tuition of such child during its minority, or for any less time, to any proper person.

**Surviving parent dispose of the custody of child.**

Approved April 8, 1895.

## CHAPTER 81.

## HIDES.

(H. B. 78, by Mr. Tomkins.)

## AN ACT

TO PROHIBIT THE SELLING OF BEEF AND VEAL CARCASSES  
WITHOUT EXHIBITING THE HIDES TO THE PURCHASER  
AND PROVIDING PENALTIES FOR THE VIOLATIONS  
THEREOF.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That from and after the passage of this act, it shall be unlawful for any person, Company or Corporation, to sell or offer for sale, except as a butcher, who has filed a bond as provided by law having a permanent place of business, the carcass of a beef or veal or any portion of such carcass, without first exhibiting the hide intact of the same, and exposing the brand upon the hide, if any, to the purchaser, and it shall be the duty of any such person, Company or Corporation, selling or offering for sale any such carcass, of beef or veal to preserve the hide of the same for a period of thirty days, and to exhibit the same for inspection upon the demand of any person.

Unlawful to sell or offer for sale—without.

Expose hide to purchaser.

Preserve hide for thirty days.

Sec. 2. It shall be unlawful for any person, Corporation or Company, to kill for his, her or their use and consumption any beef or veal without preserving the hide of such animal intact for a period of not less than thirty days and presenting the same for inspection upon the demand of any person.

Unlawful to kill for own use—without.

Sec. 3. Any person, Company or Corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction shall be liable to a fine of not more than five hundred dollars or shall be imprisoned in the County jail for a term of not more than twelve months, or shall be both fined and imprisoned, in the discretion of the

Misdemeanor.

Fine and imprisonment.

Informant entitled  
to half fine.

Court. Provided, that any person informing the proper authorities in regard to the violation of the provisions of this act shall be entitled to one half of the fine herein imposed, when collected.

Emergency.

Sec. 4. Wherefore in the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved March 20, 1895.

## CHAPTER 82.

### INFANTS AND INSANE PERSONS.

(S. B. 159, by Senator Felker.)

## AN ACT

TO PROVIDE FOR THE MORTGAGING OF THE REAL ESTATE OF INFANTS AND INSANE PERSONS.

*Be it enacted by the General Assembly of the State of Colorado:*

May be  
mortgaged.

Term of mortgage  
not exceed  
minority of ward.

When income is  
insufficient.

When interests  
will be promoted.

Section 1. In either of the following cases any real estate or interest therein, belonging to an infant or to a person incompetent to manage his affairs by reason of insanity, idiocy or unsoundness of mind, may be mortgaged; Provided, That in case of an infant the mortgage shall not be for a term of years exceeding the minority of the ward:

First—When the personal property and income of the real estate of such infant or such incompetent person are together insufficient for the payment of his debts, or for the maintenance and education of himself and family.

Second—When the interests of such infant or incompetent person require or will be substantially promoted by such disposition, on account of such real estate or interest therein being exposed to waste or dilapidation, or being unproductive, or for other peculiar reasons or circumstances.

Sec. 2. The application for such disposition must be made to the district court of the county in which such real estate or some part thereof is situate, or to the judge of such court during vacation, by petition of the general guardian of the infant or such incompetent person; and when the application is in behalf of an infant over the age of fourteen years, such infant may join in such petition; and the parents of such infant, if living, shall join in such petition or be served with written notice (either within or without the State) ten days before any order is made by the court or judge upon such petition; such petition must be verified and must set forth the facts which would authorize the mortgaging of such real estate or some part thereof for one or more of the reasons set forth in the preceding section.

Application for disposition made to district court.

Infant join in petition.

Petition must be verified.

Sec. 3. When such application is made on behalf of the infant or incompetent person, the district court or judge thereof must appoint some suitable guardian ad litem of such infant or incompetent person, to represent his interests in relation to the proceedings on such application; but no order shall be made under such petition for mortgaging any part of the property of such infant or incompetent person except upon condition that the guardian making such application shall, before executing any mortgage by virtue of this act, give a bond to such infant or incompetent person, by name, as the case may be, to be filed with the clerk of the court, in such sum, with such securities, and in such form as the district court or judge shall direct, conditioned for the faithful performance of the trust reposed, for paying over, investing or accounting for all moneys that shall be received by such guardian, according to the order of any court having authority to give directions in the premises, and for the observance of the directions of the court in relation to the said trust. In case of the breach of the conditions of such bond, it may be prosecuted for the benefit of the party injured, without any direction therefor.

Judge appoint suitable guardian.

Bond filed with clerk.

In form as judge shall direct.

Breach of conditions.

**District judge shall inquire into.**      **Referee.**      **Duties of referee.**      **Report upon.**

Sec. 4. Upon the presentation of such petition, and filing of such bond, the court or district judge may proceed in a summary manner to inquire into the merits of such application, or may make an order referring it to some suitable person as referee, to inquire into and report upon the matters contained in such petition; whose duty it shall be to examine into the truth of the representations made, to hear the parties interested in the property, or otherwise interested in the application, and report thereupon with all convenient speed.

**On examination.**

Sec. 5. If, after an examination of the matter by the court or district judge, without a reference, or on the coming in of the report of the referee, and, on examination of the matter, it shall satisfactorily appear that the mortgaging of any part of the real estate of such infant, or incompetent person, or any interest therein, is necessary and proper, for any of the causes mentioned in section one, the court or district judge shall make a final order directing the mortgaging of such real estate, or interest therein, or of such part thereof as the court or judge shall deem proper to be made, by the guardian of such infant, or such incompetent person, as the case may be, in such manner and with such restrictions as shall be decreed expedient.

**Court make final order.**

**Mortgage not made until agreement is entered into.**      **Court confirm.**

Sec. 6. No such mortgage shall be made until an agreement therefor shall be entered into by such guardian of the infant or of such incompetent person, subject to the approval of the court or district judge. Upon the confirmation of such agreement by the court or judge, the guardian may execute a mortgage as directed by the order of confirmation.

**Shall not be mortgaged contrary to provisions of any will.**

Sec. 7. No real estate or interest therein shall be mortgaged under the provisions of this chapter contrary to the provisions of any will by which the same was devised, or of any conveyance by which the same was transferred to such infant or incompetent person; except when it shall be made to appear



to the court or judge thereof; that such mortgage or lease is necessary for the maintenance and education of such infant or incompetent person, or is necessary for the raising of funds to pay taxes and assessments levied against the real property of such infant or incompetent person, or to pay for the repairs necessary to keep such property from being exposed to waste or dilapidation, or to pay the expenses attending the care, management and preservation of such property.

Except for maintenance and education.

Or necessary repairs to property.

Sec. 8. Every mortgage made in good faith by the guardian of an infant or incompetent person, pursuant to any order or judgment of the court or judge thereof, made under the provisions of this act, when confirmed by the court, shall be as valid and effectual as if made by such infant when of full age, or by such incompetent person when of sound memory and understanding.

Mortgage valid and effectual.

Sec. 9. An account of all moneys and securities received by any guardian for the sale of real estate of his ward shall be returned on oath of such guardian, to the county court of the county where letters of guardianship are obtained, and such money shall be accounted for and subject to the order of the county court, in like manner as other moneys belonging to such minor.

Guardian return all moneys to county court.

Sec. 10. In the opinion of the General Assembly an emergency exists; therefore, this act shall be in force and take effect from and after its passage.

Emergency.

Approved April 13, 1895.

## CHAPTER 83.

## INSURANCE.

(H. B. 133, by Mr. Anfenger.)

## AN ACT

TO AMEND SECTION SIXTEEN HUNDRED AND NINETY FOUR OF THE GENERAL STATUTES OF THE STATE OF COLORADO, CONCERNING INSURANCE COMPANIES.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section 1694 of the General Statutes of the state of Colorado be and the same is hereby amended to read as follows:

Paid up cash capital.

Sec. 1694. No joint stock fire or life insurance company shall be permitted to do any business in this state unless it is possessed of an actual paid up cash capital as follows: fire insurance companies of not less than two hundred thousand dollars, and life insurance companies, not less than one hundred thousand (100,000), dollars. No joint stock insurance company organized for any purpose other than fire or life insurance shall be permitted to do any business in this state unless possessed of an actual paid up cash capital of not less than one hundred thousand dollars.

Not less than one hundred thousand dollars.

Foreign corporation.

Any foreign life or fire insurance company incorporated or associated under the laws of any government or state other than the United States, shall not be admitted or permitted to do any business in this state until, besides complying with the conditions of the insurance laws of this state, it has made a deposit with the treasurer of this state, or with the duly authorized officer of some other state of the United States, of a sum not less than the capital required of like companies under this act.

Deposited with the treasurer.

Deposit for the security of policy holders.

Such deposit must be in exclusive trust for the benefit and security of all the company's policy

holders and creditors in the United States, and may be made in the securities, but subject to the limitations specified in section 1695 of the General Statutes of this state; and such deposit shall be deemed for all purposes of the insurance laws, the capital of the company making it. Deposit deemed the capital of company.

Sec. 2. Whereas, in the opinion of this General Assembly, an emergency exists; therefore, this act shall be in force from and after its passage. Emergency.

Approved April 26, 1895.

## CHAPTER 84.

### INSURANCE DEPARTMENT.

(H. B. 524, by Mr. Lowell.)

## AN ACT

TO AMEND SECTIONS ONE AND TWO OF AN ACT ENTITLED, "AN ACT TO AMEND AN ACT ENTITLED, 'AN ACT TO ESTABLISH AN INSURANCE DEPARTMENT IN AND FOR THE STATE OF COLORADO, AND REGULATE THE INSURANCE COMPANIES DOING BUSINESS THEREIN, APPROVED FEBRUARY 13, A. D. 1883,' TOGETHER WITH THE AMENDMENTS THERETO; TO DEFINE THE POWERS OF THE SUPERINTENDENT OF INSURANCE; TO PROVIDE FOR THE REGULATION OF INSURANCE COMPANIES AND FOR OTHER PURPOSES," APPROVED APRIL 19, 1889.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section one of an act approved April 19, 1889, amending Section 10, division 1, of an act entitled, "An act to establish an Insurance department in and for the State of Colorado, and to regulate the insurance Companies doing business therein," be and the same is hereby amended so as to read as follows:

Sec. 10. The Superintendent may, with the consent of the Governor whenever a grave necessity arises and he deems it prudent for the protection of policy holders in this State, visit, or cause to be visited and examined by some competent person, or Superintendent may investigate.

In regard to financial condition.	persons he may appoint for that purpose, any insurance company applying for admission or already admitted to do business by agencies in this State. Such examination shall include a thorough inspection and examination into its affairs, especially as to the financial condition and ability of said Company to fulfil its obligations to the policy holders, and whether it has complied with the laws of this State, and such
The company to pay charges of investigation.	Company to pay the proper charges incurred in such examination, including the expenses of the Commissioner, or his deputies, and the expenses and compensation of his assistants employed therein. The
Superintendent make examination upon request of five or more stockholders.	superintendent may also make an examination with the consent of the Governor, of any such Company upon the request of five or more of the Stockholders, creditors, policy holders, or persons pecuniarily interested therein, who shall make affidavit of their belief, with specifications of their reasons therefor in writing; that such Company is in an unsound or insolvent condition: Provided, that only the United
Upon affidavit	States branches of all foreign Companies in this State may be examined by said Superintendent. For the purposes aforesaid, the Commissioner or his deputy
Proviso.	or person making the examination, shall have free access to all books and papers of an insurance Com-
Commissioner have free access to books.	pany that relate to its business, and the books and papers kept by any of its agents, and may summon
Administer oaths.	and administer Oaths or affirmations to witnesses, and examine the directors, officers, agents and trustees of any such company, and any other person, in relation to its affairs, transactions and conditions.
Compel production of records.	He may require and compel the production of records, books, papers, contracts or other documents by attachment, if necessary; and shall have the right to
Punish for contempt.	punish for contempt by a fine or imprisonment, or both, any person failing or refusing to obey such summons or order of such superintendent. Any person testifying falsely in reference to any matter, material to said investigation, examination or in-
Perjury.	quiry, shall be deemed guilty of perjury, and, in ad-

dition to the punishment for contempt in refusing to attend, or answer, or produce books and papers, any person who shall refuse to give such superintendent full and truthful information and answer in writing to any inquiry or question made in writing by said superintendent, in regard to the business of insurance carried on by such person, or to appear and testify under oath before the superintendent in regard to same, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding five hundred dollars (\$500) or imprisonment not exceeding three (3) months.

Misdemeanor.

Fine and imprisonment.

Any director, officer, manager, agent or employee of an insurance Company, or any other person, who shall make any false certificate, entry or memorandum upon any of the books or papers of any insurance Company, or upon any statement or exhibit, filed or offered to be filed in the insurance department of this State, or used in the course of any examination, inquiry or investigation, with the intent to deceive the superintendent of insurance or any other person employed or appointed by him to make any inquiry, examination or investigation, shall, upon conviction, be punished by fine not exceeding one thousand dollars (\$1,000), and by imprisonment for not less than two (2) months in the county or city jail, nor more than five (5) years in the penitentiary: Provided that any Company whose licence has been revoked by said Superintendent, may appeal from said order to the District Court, which Court upon the filing of the proper petition shall cause the record and orders of the Superintendent to be brought before it, and upon a hearing of the case by the Court de novo, the Court shall either confirm or revoke the order of said Superintendent as in its discretion may appear just.

False certificate or entry.

Conviction.

Punishment.

Proviso.

Court confirm or revoke.

Sec. 2. That section 2 of an act, approved April 19, 1889, amending or re-enacting section 12, division 1. of an act entitled, "An act to establish an insur-

ance department in and for the State of Colorado, and to regulate the insurance Companies doing business therein," be and the same is hereby amended so as to read as follows:

**Fees.**  
**For filing articles of incorporation.**  
**Copy of charter.**  
**Business and agent.**  
**Pay two per cent. on gross amount of premiums.**  
**Emergency.**

Sec. 12. There shall be paid by every insurance company doing business in this state, to the superintendent of insurance, the following fees, viz. For filing the certified copy of Articles of incorporation required by this act on the organization of each Company, \$50; for filing power of attorney and statement preliminary to admission, \$50; for filing copy of its charter or deed of settlement and examination thereof, \$25; for filing annual statement, \$50; for certificate of authority to transact business in this state, \$5; for each copy of certificate of authority for use of agent \$2; for each copy of any paper filed in his office. per folio, 20 cents; for affixing the seal of his office and certifying any paper, \$1. All insurance companies, partnerships or associations engaged in the transaction of the business of insurance in this state shall annually, on or before the first day of March, in each year, pay to the Superintendent of insurance two per cent. on the gross amount of premiums received or written within this state during the year ending the previous 31st day of December.

Sec. 3. Whereas, in the opinion of the General Assembly an emergency exists therefor, this act shall take effect and be in force from and after its passage.

Approved February 25, 1895.

## CHAPTER 85.

## IRRIGATION.

(S. B. 262, by Senator Evans.)

## AN ACT

TO PROVIDE FOR THE REGULATION OF THE USE OF THE  
WATERS OF THIS STATE.*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. The water commissioners of the several water districts of this state are hereby empowered, and it is hereby made their duty, upon the application of the owners of one or more ditches in their district, to immediately make, or cause to be made, a thorough examination of all ditches within their district for the purpose of ascertaining what use is being made by the owners of or consumers of water from said ditches; and if at any time he shall ascertain that the owner or owners of any ditch drawing water from the natural streams furnishing water to his district shall be permitting any of the waters flowing in such ditch to go to waste, or to be wastefully, or extravagantly or wrongfully, used by its waters consumers, or put to any other use than that to which it is entitled to be used in the order of priority, at such times as the same is being needed by other appropriators, it shall be the duty of such water commissioner to immediately shut off the supply of water in such ditch to such an extent as in his judgment was wasted, or extravagantly, wastefully or wrongfully used.

Water commissioner make examination.

If water is being wasted.

Shall shut off supply.

Sec. 2. The water commissioner is hereby authorized to appoint not to exceed two deputies to speedily make the examinations provided for in Section 1 of this act, who shall be entitled to the same compensation, and to be paid in the same manner

Appoint deputies.

Compensation.

as is by law provided for the payment of other deputy water commissioners.

**Duties.** Sec. 3. Any water commissioner who fails to perform any of the duties imposed upon him by this act shall be deemed guilty of a misdemeanor, and, upon a conviction thereof by a court of competent jurisdiction, shall be fined in a sum not less than fifty (\$50.00) dollars nor more than five hundred (\$500) dollars.

**Fine.**

**Emergency.** Sec. 4. Whereas, In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 13, 1895.

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## CHAPTER 86.

### IRRIGATION—DISTRICTS.

(S. B. 322, by Senator McNeely.)

## AN ACT

TO DEFINE WATER DISTRICTS TWELVE (12) AND THIRTEEN (13) AND TO REPEAL ALL ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH.

*Be it enacted by the General Assembly of the State of Colorado:*

**District twelve.** Section 1. That District number twelve (12) shall consist of all lands irrigated from ditches or canals taking water from that part of the Arkansas river lying in Fremont County; also, lands irrigated from ditches or canals taking water from the tributaries of said portion of the Arkansas river, except Texas creek and its tributaries, and that part of Grape creek which lies above the south line of said Fremont County.

**District thirteen.** Sec. 2. That District number thirteen (13) shall consist of all lands irrigated from ditches or canals taking water from Texas creek and its tributaries



and that part of Grape creek and its tributaries lying in Custer County.

Sec. 3. In the opinion of the General Assembly an emergency exists; therefore, this act shall be force Emergency. and take effect from and after its passage.

Approved April 13, 1895.

## CHAPTER 87.

### LAND BOARD—REGISTER OF.

(H. B. 304, by Mr. Harper.)

## AN ACT

TO REPEAL SECTION 2 OF AN ACT ENTITLED, AN ACT TO AMEND SECTIONS 3 AND 10 OF AN ACT ENTITLED, AN ACT TO CREATE THE OFFICE OF REGISTER OF THE STATE BOARD OF LAND COMMISSIONERS TO PRESCRIBE THE POWERS AND DUTIES OF SAID BOARD, AND TO PROVIDE FOR THE LEASING, SALE AND MANAGEMENT OF THE STATE LANDS, AND REPEAL OTHER ACTS UPON THE SAME SUBJECT, AND TO REPEAL ALL OTHER LAWS IN CONFLICT THEREWITH," APPROVED APRIL 2, 1887; APPROVED AS AMENDED APRIL 11, 1891.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section 2 of an act entitled, "An act to amend sections 3 and 10 of an act entitled, 'An act to create the office of register of the State board of land commissioners, to prescribe the powers and duties of said board, and to provide for the leasing, sale and management of the State lands, and repeal other acts upon the same subject, and to repeal all other laws in conflict therewith, approved April 2, 1887,'" approved as amended April 11, 1891, be and the same is hereby repealed, and the following shall stand in lieu thereof: no lease of State land shall be for a longer term than ten years. When any lease expires by limitation, the holder thereof may renew the same in manner as follows: At any time within the thirty days next preceding the expiration of the lease, the lessee, or his assigns shall notify the register of Repeal.

Term of lease.

**Renewal of lease.** his desire to renew said lease; if the lessee and State board agree as to the valuation of the land, a new lease may be issued bearing even date with the expiration of the old one, and upon like conditions; **Valuation not decreased.** Provided, always, That the former valuation shall not be decreased without the consent of the State board; **Offer for sale.** Provided, That nothing in this section shall prohibit the State board from leasing any of the State lands to such party or parties as shall secure to the State the greatest annual revenue; Provided, further, That the State board may in its discretion offer said land for sale at the end of any period of five (5) years, during the term of said lease, upon the same terms and in the same manner as though said lease had not been executed.

**Emergency.** Sec. 2. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 20, 1895.

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## CHAPTER 88.

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### LEGISLATION.

(S. B. 73, by Senator Reuter.)

## AN ACT

FOR THE APPOINTMENT OF COMMISSIONERS FOR THE PROMOTION OF UNIFORMITY OF LEGISLATION IN THE UNITED STATES.

*Be it enacted by the General Assembly of the State of Colorado:*

**Governor appoint.** Section 1. Immediately upon the passage of this act, the governor shall nominate and, by and with the consent of the senate, appoint three commissioners, who shall be learned in the law, who are hereby constituted a board of commissioners by **Constitute a board of commissioners.** the name and style of commissioners for the promotion of uniformity of legislation in the United States. **Duty of board.** It shall be the duty of said commission to examine

the subjects of marriage and divorce, insolvency, the form of notarial certificates, descent and distribution of property, acknowledgment of deeds, execution and probate of wills, and other subjects on which uniformity is desirable; to ascertain the best means to effect uniformity in the laws of the states, and to represent the State of Colorado in conventions of like commissions of other states for the consideration and recommendation of uniform laws to be submitted to the several state legislatures for their action; and to devise and recommend such other course of action as shall best accomplish the purpose of this act.

Represent the  
state of Colorado  
in conventions.

Sec. 2. The term of office of said commissioners shall be four years, commencing March 1, 1895.

Term of office.

All vacancies which may occur during a recess of the senate shall be filled by the governor by appointment. Any commissioner may be removed by the governor, with the approval of the senate.

Vacancies.

Sec. 3. Neither said board nor any member thereof, shall receive any compensation or be reimbursed for any expenses incurred in effectuating the objects of this act, or at all.

No compensation.

Sec. 4. Whereas, in the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Emergency.

Approved March 30, 1895.

## CHAPTER 89.

## LIENS TO MECHANICS—MINES.

(H. B. 88, by Mr. Gallagher.)

## AN ACT

TO AMEND SECTION EIGHT OF AN ACT ENTITLED "AN ACT TO SECURE LIENS TO MECHANICS AND OTHERS, AND TO REPEAL ALL LAWS IN CONFLICT THEREWITH." APPROVED APRIL 3RD 1893."

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section eight of an act entitled "An act to secure liens to mechanics and others, and to repeal all laws in conflict therewith. Approved April 3rd, 1893. be and the same is hereby amended so as to read as follows: "Section 8 The provisions of this act shall apply to all persons who shall do work, or shall furnish material for the working, preservation, or development of any mine, lode or mining claim, or deposit yielding metals or minerals of any kind, or for the working, preservation or development of any such mine, lode or deposit, in search of such metals or minerals; and to all persons who shall do work or furnish materials upon any shaft, tunnel, incline, adit, drift or draining of any such mine, lode or deposit; Provided, That when two or more lodes, mines or deposits, owned or claimed by the same person or persons, shall be worked through a common shaft, tunnel, incline, adit, drift or other excavation, then all the mines, lodes or deposits so worked shall, for the purpose of this act, be deemed one mine; and Provided further, That this section shall not be deemed to apply to the owner or owners of any mine, lode, deposit, shaft, tunnel, incline, adit, drift or other excavation, who shall lease the same in small blocks of ground to one or more sets of lessees."

To whom applies.

Two mines worked through same shaft—deemed one mine.

Not apply to leased ground in small blocks.

Sec. 2. In the opinion of the General Assembly <sup>Emergency.</sup> an emergency exists; therefore, this act shall take effect from and after its passage.

Approved April 13, 1895.

## CHAPTER 90.

### LIQUORS.

(S. B. 330, by Senator Pease.)

## AN ACT

IN RELATION TO SPIRITUOUS, POISONOUS AND ADULTERATED SPIRITUOUS LIQUORS, TO THE REGULATION, MANUFACTURE AND SALE OF SAME WITHIN THIS STATE, AND TO PROHIBIT THE IMPORTATION THEREOF.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. The importation into this state of <sup>Importation of</sup> any spurious, poisonous, adulterated or drugged spir- <sup>prohibited.</sup> ituous liquors, or spirituous liquors adulterated or mixed with any poisonous or deleterious substance, mixture or compound, and whether such liquors be denominated alcohol, whiskey, rum, brandy, gin, or any or either of them, is hereby prohibited, except <sup>Proviso.</sup> where such liquors are in good faith imported solely for chemical or mechanical purposes.

Sec. 2. The adulterating of any of the spirit- <sup>Adulteration of.</sup> uous liquors, mentioned in section 1 of this act, except for chemical or mechanical purposes, or the manufacturing or making of the same within this state is hereby prohibited.

Sec. 3. The sale, barter, exchange or giving away within this state, except for chemical or me- <sup>Sale of except for</sup> chanical purposes, of any of the spirituous liquors <sup>chemical purposes</sup> mentioned in section 1 of this act, or of any spirit- <sup>prohibited.</sup> uous liquors of any kind whatsoever, by whatever name, brand or description called, classed or known, except that which is strictly pure and of the kind, quality, age, character and designation it purports to be, is hereby prohibited.

Sec. 4. The sale, barter, exchange or giving away within this state, except for chemical or mechanical purposes of any of the spirituous liquors mentioned in section one of this act by what ever name, brand, quality or designation, the same may be called, classed or known, except that which is regularly distilled, duly inspected and stamped in full accordance with the United States internal revenue laws and regulations thereunder, is hereby prohibited.

Sale of except that  
regularly distilled,  
duly inspected and  
stamped, prohibit-  
ed.

Violations.

Punishment.

Sec. 5. Any person who shall violate any of the provisions of this act, on conviction thereof, shall be punished by a fine of not less than one hundred (100) dollars, and not more than one thousand (1,000) dollars, and be imprisoned in the County jail for a term of not less than ten days, nor more than six months, in the discretion of the court.

Approved April 8, 1895.

## CHAPTER 91.

### LIQUORS.

(S. B. 38, by Senator Pease.)

## AN ACT

TO AMEND SECTION SIX OF AN ACT ENTITLED, "AN ACT CONCERNING SPURIOUS AND ADULTERATED LIQUORS", APPROVED APRIL 4, 1887, THE SAME BEING GENERAL SECTION THIRTY-TWO (32) OF CHAPTER ONE (1) OF MILLS' ANNOTATED STATUTES.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section 6 of an act entitled, "An act concerning spurious and adulterated liquors", approved April 4, 1887, the same being section thirty two (32) of charter one (1) of Mills Annotated Statutes, be and the same is hereby amended so as to read as follows:

Violations.

Sec. 6. Any person violating any of the provisions of this act shall be guilty of a misdemeanor, and

upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars nor more than three hundred dollars, or by imprisonment in the county jail for a period not to exceed six months, or by both such fine and imprisonment.

Approved March 22, 1895.

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## CHAPTER 92.

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### MINERAL COUNTY.

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(H. B. 49, by Mr. Roe.)

## AN ACT

TO AMEND SECTION ONE (1) OF AN ACT ENTITLED "AN ACT TO ESTABLISH THE COUNTY OF MINERAL AND THE COUNTY SEAT THEREOF; PROVIDING FOR THE APPOINTMENT OF ITS PRECINCT AND COUNTY OFFICERS; FIXING THE TERMS OF COURT THEREIN, AND ATTACHING THE SAME TO CERTAIN REPRESENTATIVE, SENATORIAL AND JUDICIAL DISTRICTS," APPROVED MARCH 27, 1893.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section one (1) of an act entitled "An act to establish the county of Mineral and the county seat thereof; providing for the appointment of its precinct and county officers; fixing the terms of court therein, and attaching the same to certain representative, senatorial and judicial districts," approved March 27, 1893, be and the same is hereby amended so as to read as follows:

Sec. 1. That the county of Mineral is hereby established with the legal capacities and functions of other counties in this state; and the boundaries are as follows: Beginning at a point where the east line of range two (2) east of the New Mexico principal meridian intersects the southern boundary of Rio Grande county; thence north along said range line to the summit of the spur range which separates the waters running to the Rio Grande river from those running to the Saguache and La Garita creeks; thence west-

Establish.

Boundary

erly along the top of said Spur range to the continental Divide; thence westerly along the summit of said divide to a point where it is intersected by the west line of range two (2) west of the New Mexico principal meridian; thence south along said range line to a point where it intersects the southern boundary of Hinsdale county; thence east to the place of beginning.

Emergency.

Sec. 2. In the opinion of the General Assembly an emergency exists; therefore this act shall take effect and be in force from and after its passage.

Approved April 24; 1895.

## CHAPTER 93.

### MINES—BUREAU OF.

(S. B. 152, by Senator Newman.)

## AN ACT

TO CREATE A BUREAU OF MINES, TO DEFINE THE DUTIES OF THE COMMISSIONER OF MINES AND PROVIDE FOR THE GOVERNMENT THEREOF, AND MAKING AN APPROPRIATION THEREFOR; AND TO REPEAL AN ACT ENTITLED "AN ACT DIVIDING THE STATE OF COLORADO INTO METALLIFEROUS MINING DISTRICTS; AND APPOINTING AN INSPECTOR OF METALLIFEROUS MINES", APPROVED APRIL 1, 1889, AND PORTIONS OF OTHER ACTS IN CONFLICT HEREWITH.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. There shall be and is hereby established in this state a department to be known as the "Bureau of Mines of the State of Colorado," the principal office of which shall be maintained at the State Capitol, in the city of Denver, at which place there shall be collected by the Commissioner of Mines, and preserved for study and reference, specimens of all the geological and mineralogical substances, including mineral waters, found in this State, especially those possessing economic or commercial value, which specimens shall be marked, arranged, classified and

Title.

Office at  
state capitol.

Commissioner  
shall collect  
specimens.



described, and a record thereof preserved, showing the character thereof and the place from whence obtained. The Commissioner of Mines shall also, as he has opportunity and means, collect and in like manner preserve at said office, minerals, rocks, and fossils of other States territories and countries, and collections so made shall within reasonable hours, be opened to public inspection, examination and study.

Where obtained.

Collections to be open for inspection of public.

Sec. 2. It shall be the duty of the Governor to appoint a citizen of this State, having had not less than seven years practical experience in mining in the State of Colorado, together with a practical and scientific knowledge of mining, metallurgy, mineralogy and geology, to the office of Commissioner of Mines, to hold the said office for the term of four (4) years, or until the appointment and qualification of his successor, as provided in section 1 of Article 16 of the Constitution of the State of Colorado, who shall take and subscribe the oath of office prescribed by the constitution; and he shall give bond to the State in the sum of \$20,000, to be approved by the Governor of the State, conditioned upon the faithful discharge of his duties, and who shall receive for his services a salary of two thousand five hundred (\$2,500) dollars per annum, to be paid as other officers of the State are paid, and shall also receive his necessary traveling expenses when traveling on the business of his office, not to exceed \$500 per annum, to be paid out of the Bureau of Mines fund, hereinafter provided for, and not otherwise. It shall be the duty of the Commissioner of Mines to visit the several mining districts of the State from time to time, and report their history, describe their geological formation and altitude, the character of the mines and ores and the general development of the district; at the close of each year he shall make a report in detail to the Governor, showing the amount of disbursements of the Bureau under his charge, the number of specimens collected, and giving such statistical information in reference to mines, mining, milling and smelting as

Governor appoint commissioner.

Term of four years.

Oath and bond.

Compensation.

Traveling expenses.

Duties of commissioner.

Make report to governor.

Furnish copies to general assembly.

shall be deemed important, and shall transmit copies of said reports to the General Assembly at each biennial Session.

Sec. 3. The said Bureau of Mines shall have for its further objects:

Collect data.

First—To collect and systematically record all data and records giving the history and showing the progress of the mining industry of the State, from the earliest date up to the present time, and gather and keep complete and reliable statistics of all the principal mines and mining districts, making a record of their mineral products, their classification and value; to make as a part of the records the recent and heretofore made geological surveys and reports bearing upon the mining industry heretofore made by other officers of this State, or by the United States government, and to make and publish maps and reports of the same for general reference and distribution; to examine and report upon the geological formation of each important mining district, and each important mine, when permitted to do so, giving the mineralogical characteristics or peculiarity of its ores, and the lithological structure of the enclosing and adjacent rocks; the character and extent of the ore veins or deposits, their development, and the methods of ore extraction, transportation, milling or reduction; also, data concerning the wages, number of men employed, cost of sinking, drifting, and all other mining operations in each district, and such other facts as would serve as a guide for profitable mining and milling; and to make the reports of this bureau of as practical and reliable information as may be possible to be obtained. And it shall be the duty of the Commissioner of Mines to embrace in his report the number of men employed in mining, the average amount of wages paid per day, the number of other employes in and about the mine, and the average wages paid to them per day; the tons of ore transported on the several railroads, and the approximate cost of trans-

Make record of mineral products.

Make and publish maps.

Report on mining districts.

Methods of extracting ore.

Make reports practical and reliable.

Men employed in mining.

Wages paid.

porting the same per ton per mile; the tons smelted Smelting. and the approximate cost of the same; the number of tons treated by other processes, together with the approximate cost of treating it; the number of tons of limestone and other fluxes; the number of tons of coke and coal consumed in the treatment of ore; the estimated value of supplies consumed by employes engaged directly or indirectly in operating the mines and reduction works, and classify the same as nearly Classify. as it may be practicable so to do; and show the tonnage of the same as transported by the railroads, or by other means of transportation; and report such other information as regards quantity of timber Timber. consumed in and about the mine, and the value thereof, and all other such useful information in detail of such a nature that will tend to give a correct idea of the extent of the business of mining and treatment of ores, and all industries collateral thereto, or in any wise wholly or in part depending thereon.

Second—To investigate and report upon the successfully used methods for the recovery of the precious metals, and to collect statistics upon metallurgical industry and upon smelting, concentrating, milling and dressing of metalliferous ores. Investigate and report on methods for recovery of the precious metals.

Third—To collect statistics upon all the mineral products of the State, and to distribute reliable information regarding the product and available supply; the location, character, and adaptability for economic purposes of the resources of Colorado in coal, coal oil, asphalt, iron, building stone, slates, marble, fire clays, cements, pottery and porcelain clays, asbestos, mica, and the various mineral waters, and such other items within the province of this bureau, as in the judgment of the Commissioner of Mines may be advisable. Collect statistics upon the mineral product of state. Other resources.

Fourth—To collect typical ores, minerals and rocks occurring in the State, especially those having economic value; maps of the mining districts and mines, geological descriptions of the mining districts, books and pamphlets about mines, mining engineer- Collect mineral.

**Models.**

ing, geology and metallurgy, models of mines, mills and smelting plants, and other subjects which can aid in the study and promote the knowledge of all who are interested in mining or manufacturing of any of the mineral products of the State; and he shall give receipts for all articles enumerated herein to the person from whom he receives them.

**Collect data upon mechanical appliances in mining.**

Fifth—To collect all data upon the mechanical operations of all important mining and milling plants in the State, and the advancement made in the application of electricity, compressed air, water power and steam as labor saving devices to all branches of mining operations.

**Safety of mines.**

Sixth—To inspect and determine the safety of devices and methods used in mining, the safe condition of mines, and to take necessary measures to make them safe when required.

**Offices of bureau in state capitol.**

Sec. 4. The Secretary of State shall provide suitable rooms in the state capitol building for the use of said bureau, and shall provide the necessary fuel, lights and appurtenances to the proper and creditable management of said office. Said office shall be deemed a public office, and the records, books and papers thereof, or on file therein, shall be deemed public records of the State. All books and documents, and all other papers whatever in the office of the commissioner of Mines shall be transferred by him to his successor in office, who shall give him a receipt for the same. The commissioner shall keep and maintain a complete list and record of all articles, papers and documents received by him and belonging to said office. The commissioner may appoint a clerk at a salary not to exceed nine hundred (\$900) dollars per annum.

**Public office.****Commissioner keep records.****Appoint a clerk.****Appoint assistant.**

Sec. 5. The commissioner of Mines may, from time to time, as appropriations may be made therefor, appoint such competent assistants as he may deem necessary and proper for the carrying out of the objects of this act, and for the purposes of making more

extended geological researches and surveys concerning the mineral districts of the State; but the entire expenses of the bureau must not in any one year be greater than can be paid out of the fund or appropriation provided therefor. Expenses not to exceed appropriation.

Sec. 6. The commissioner of Mines shall appoint two (2) inspectors of practical experience in mining, citizens of the United States and legal voters of the state of Colorado, and having had not less than seven (7) years practical experience in mining in the state of Colorado, who shall hold their office for the term of two (2) years, and whose duties shall be as hereinafter specified, and shall each receive fifteen hundred (\$1,500) dollars per annum, and reasonable traveling expenses, not to exceed five hundred (\$500) dollars each, per annum, payable monthly; and before entering upon the discharge of their duties, they shall subscribe to the oath required by the constitution and each give bond to the State in the sum of five thousand (\$5,000) dollars, to be approved by the governor, conditioned upon the faithful performance of their duties, respectively; said bonds shall, together with the commissioner's bond, be deposited with the Secretary of State. Appoint inspectors. Term of office. Compensation. Oath and bond.

Sec. 7. The commissioner of Mines, inspectors, or either of them, shall not act as manager, or agent, or lessee, for any mining or other corporation during the term of his office; but shall give his whole time and attention to the duties of the office to which he has been appointed. No officer of this bureau, nor any agent or person in any way connected therewith, shall make a report on any mine or mining property for any person or persons interested in such mine or mining property, with intent to promote or aid in the sale or other conveyance thereof; and any such officer, agent or person violating this provision shall, upon conviction thereof, pay a fine of not less than five hundred dollars, nor more than five thousand dollars, or be Shall not act as manager or agent for company. Shall not report on mining property. Violations of. Fine and imprisonment.

Health of  
workmen.

Report condition  
of mine.

Enquire into  
cause of accidents.

Condition of  
machinery.

Ventilation.

Shall not give  
notice of time of  
inspection.

Owner admit  
inspector to  
examine.

imprisoned in the state penitentiary not less than one nor more than three years, or both, in the discretion of the court. The commissioner shall, on receipt of reliable information relating to the health and safety of the workmen employed in any metalliferous mine in the State, or whenever he deems such inspection necessary, examine or instruct one of the inspectors to examine and report to him the condition of such mine. The mine owner, agent, manager or lessee shall have the right to appeal to the commissioner on any difference that may arise between such parties and the inspector. On receipt of notice of any accident in any mine, whether fatal or not, the commissioner shall inquire into the cause of such accident.

Sec. 8. It shall be the duty of the commissioner to examine or to instruct one of the inspectors to examine and report to him the condition of the hoisting machinery, engines, boilers, whims, cages, cars, buckets, ropes and cables in use in all the metalliferous mines in operation in the State, the appliances used for the extinguishing of fires, the manner and methods of working and timbering the shafts, drifts, inclines, slopes, winzes, tunnels and upraises, through which persons pass while engaged in their daily labors; all exits from the mine, and how the mine is ventilated, together with the sanitary condition of the same; and also, how and where all explosives and inflammable oils and supplies are stored; also, the system of signals used in the mine. He shall not give notice to any owner, agent, manager or lessee of the time when such inspection shall be made.

Sec. 9. Every owner, agent, manager or lessee of any metalliferous mine in this state shall admit the commissioner or inspector to such mine on the exhibition of his certificate of appointment, for the purpose of making the examination and inspection provided for in this act, whenever the mine is in active operation, and render any necessary assistance for such inspection; but said commissioner or

inspector shall not unnecessarily obstruct the working of said mine. Upon the refusal of the owner, agent, manager or lessee to admit the commissioner or inspector to such mine, such owner, agent, manager or lessee shall be subject to a fine of not less than ten nor more than five hundred dollars for each and every such refusal.

Not unnecessarily obstruct work.

Fine for refusal to admit inspector to mine.

Sec. 10. If the commissioner, the inspectors, or either of them, shall reveal any information in regard to ore bodies, chutes or deposits of ore, or location, course or character of underground workings, or give any information or opinion respecting any mine obtained by them in making such inspection, upon conviction thereof, he or they shall be removed from office, and fined in a sum not less than one thousand dollars nor more than five thousand dollars.

Shall not reveal any information.

Upon conviction shall be removed from office.

Fine.

Sec. 11. The commissioner and inspector shall exercise a sound discretion in the enforcement of this act; and if they shall find any matter, thing or practice in or connected with any metalliferous mine to be dangerous or defective, so as to, in their opinion, threaten or tend to the bodily injury of any person, the commissioner or inspector shall give notice in writing thereof to the owner, agent, manager or lessee of such mine, stating in such notice the particulars in which he considers such mine, part thereof, or practice, to be dangerous or defective; and he shall order the same to be remedied.

Shall exercise discretion.

Inspector give notice of defect.

Order same remedied.

Sec. 12. In case the owner, agent, manager or lessee, after written notice being duly given, does not conform to the provisions of this act, or disregards the requirements of this act, or any of its provisions, or lawful order of the commissioner or inspector made hereunder, any court of competent jurisdiction may, on application or information of the commissioner of mines by civil action, in the name of the people of the State of Colorado, enjoin or restrain the owner, agent, manager or lessee from working the same until it is made to conform to the provisions of

If owner does not conform.

Enjoin the owner.

Remedy  
cumulative.

this act; and such remedy shall be cumulative, and shall not affect any other proceedings against such owner, agent, manager or lessee authorized by law for the matters complained of in such action.

Owner give notice  
of accident.

Commissioner  
make report.

Sec. 13. Any owner, agent, manager or lessee having charge or operating any metalliferous mine, whenever loss of life or serious accident shall occur connected with the working of such mine, shall give notice immediately, and report all facts thereof to the commissioner of Mines, who shall investigate and ascertain the causes, and make a report, which report shall be filed in his office for future reference.

Commissioner  
draw upon  
appropriation.

Auditor draw  
warrant.

Make vouchers in  
duplicate.

Incidental  
expenses.

Sec. 14. The commissioner is hereby authorized, with the approval of the governor, to draw upon the funds appropriated by this act, from time to time, to pay the salaries and traveling expenses of himself and inspector, and the salary of clerk, as hereinbefore provided, to defray the necessary expenses of his office; and the state auditor is hereby required to issue his warrant on the State treasurer for such payments or expenses as they may accrue; and in all accounts rendered or presented for payment on account of the bureau of Mines, the commissioner shall be required to make vouchers in duplicate, one of which shall be filed in his office. He is hereby authorized to procure such instruments and stationery from time to time as may be necessary to the proper discharge of the duties under this act, not to exceed the amount for incidental and operative expenses appropriated therefor.

Appropriation.

Sec. 15. For the purpose of carrying out the provisions of this act there is hereby appropriated out of any funds in the state treasury not otherwise appropriated, the sum of fourteen thousand one hundred and sixty seven (\$14,167) dollars, of which sum five thousand seven hundred and sixty seven (\$5,767) dollars shall be available for the year 1895 and the sum of eight thousand four hundred (\$8,400) dollars for the year 1896; said amounts, including the sum



of five hundred (\$500) dollars for each fiscal year's incidental and operating expenses, to be at the disposal of the commissioner of Mines.

Incidental expenses.

Sec. 16. The governor shall have the power at any time to remove from office the commissioner; and the commissioner shall have power to remove either assistants or inspectors for incompetency, neglect of duty or abuse of the privileges of his office.

Governor power to remove.

Sec. 17. It shall be the duty of the commissioner of Mines to make, or cause to be made, exhibits of the mineral resources and products of the state, at such industrial exhibitions held in this or other states as the governor of this state may direct, and for which due appropriation shall have been made.

Shall make exhibits of minerals.

Sec. 18. It shall be the duty of the commissioner of Mines to furnish as far as practicable to the proper officials of the State School of Mines such information, plats, surveys, etc., resulting from the researches of his department, from time to time, as said officials may ask or deem advantageous to the advancement of the interest of the School of Mines.

Furnish information to school of mines.

Sec. 19. The mineral specimens heretofore collected by the bureau of immigration and statistics and the Worlds Fair commissioners, are hereby transferred to the custody of the bureau of Mines.

Specimens heretofore collected transferred to bureau of mines.

Sec. 20. An act dividing the state into metalliferous districts and appointing an inspector of Mines, approved April 1, 1889, and all other acts inconsistent herewith, are hereby repealed.

Repeal.

Sec. 21. In the opinion of the General Assembly an emergency exists; therefore, this act shall be in force from and after its passage and approval.

Emergency.

Approved March 30, 1895.

## CHAPTER 94.

## MINT SITE.

(H. B. 131, by Mr. Light.)

## AN ACT

CONCERNING REVENUE; EXEMPTING CERTAIN PROPERTY,  
TO BE SELECTED FOR A MINT SITE, FROM TAXATION, AND  
CEDING JURISDICTION TO THE UNITED STATES OVER  
THE SAME.

*Be it enacted by the General Assembly of the State of Colorado:*

Designate site.	<p>Section 1. Whenever any officer or officers of the United States there unto duly authorized, shall designate or select a tract of land within the corporate limits of the City of Denver as and for the site of a public building for a United States mint, and the title thereto shall have been conveyed and confirmed to the United States of America by the owner or owners thereof, the governor of this state shall make, execute and deliver to the United States of America a deed, sealed with the great seal of the State of Colorado, and attested by the Secretary of State, containing apt, meet and proper words, clauses and covenants to fully cede, give, grant, transfer, confer and confirm exclusive jurisdiction for all purposes whatsoever over such tract of land, and all and every part thereof unto the United States of America; but, nevertheless, therein reserving to the State of Colorado jurisdiction to serve the civil process of state, county and municipal courts and tribunals within said tract of land, to serve and execute therein processes in criminal cases by state, county and the municipal officers in respect to offenses, misdemeanors, crimes and felonious acts committed outside of said tract, and at, from and after the making, executing, ensembling, attesting and delivery of such deed, exclusive jurisdiction shall vest in and remain in the United States of America for and during all the time the United States</p>
Title.	
Governor execute deed.	
Secretary of state attest.	
Jurisdiction of state to serve civil process.	
Exclusive jurisdiction vest in the United States—except for service of civil process reserved to this state.	

shall remain the owner of said tract of land, subject only to the state jurisdiction for the service of execution and process reserved to this state over said tract of land so ceded, granted, transferred, confirmed and conferred unto the United States of America for and during the time the United States of America shall remain the owner thereof.

Sec. 2. That at, from and after delivery of such deed of cession, the said site and tract of land, and the erections, structures, buildings, fixtures, goods, chattles and property at any time thereon or thereto belonging, or in anywise appertaining and belonging to the United States, shall be and remain released and exempt from all tollages, taxes and assessments <sup>Exempt from taxation.</sup> of every name and nature, for and during the time the United States shall remain the owner thereof.

Sec. 3. Whereas, In the opinion of the General <sup>Emergency.</sup> Assembly an emergency exists; therefore, this act shall be in force and take effect from and after its passage.

Approved April 1, 1895.

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## CHAPTER 95.

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### MUNICIPAL CORPORATIONS.

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(S. B. 116, by Senator Drake.)

## AN ACT

TO AMEND GENERAL SECTION 3368 OF THE GENERAL STATUTES OF 1883, AND TO AMEND SECTIONS 4, 5, 12 AND 13 OF AN ACT APPROVED MARCH 24, 1891, ENTITLED "AN ACT TO AMEND AN ACT ENTITLED 'AN ACT IN RELATION TO MUNICIPAL CORPORATIONS', APPROVED APRIL 4, 1877, AND TO MORE PARTICULARLY DEFINE THE POWERS AND DUTIES OF CITIES OF THE FIRST CLASS."

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That general section 3368 of the general statutes of 1883, be and the same is hereby amended to read as follows:

Divided into  
wards.

Not exceed eight  
in cities of first  
class.

Additional  
territory.

Sec. 3368. Every city shall hereafter be divided by the city council into wards, and such wards shall be numbered consecutively beginning with the number one, and the total number of wards shall not exceed eight in each city of the first class, and six in each city of the second class; the boundaries of said wards shall not be changed oftener than once in six years, except in case of additions to such cities or towns, whereupon such additional territory shall become a part of the ward contiguous thereto.

Sec. 2. That section 4 of an act approved March 24, 1891, entitled "An act to amend an act entitled 'An act in relation to municipal corporations', approved April 4, 1877, and to more particularly define the powers and duties of cities of the first class," be and the same is hereby amended to read as follows:

Elect aldermen.

Term of service.

Vacancy.

Compensation.

Forfeit for non-  
attendance.

Sec. 4. The qualified electors of each ward shall hereafter, in cities of the first class, on the first Tuesday of April of each odd numbered year, elect, by plurality of votes, one alderman or member of the city council for each ward, who shall at the time be a resident of said ward, and a qualified elector therein; his term of service shall be two years; and if any vacancy shall occur in the office of alderman by death, resignation, removal or otherwise, the council, by a vote of a majority of the council elect, may fill the vacancy by appointment of some qualified elector, resident of the ward in which such vacancy occurs. Each alderman shall receive as compensation for his services a sum of not more than six hundred dollars per annum, the amount of such compensation to be fixed by ordinance, payable monthly or quarterly; Provided, That each alderman shall forfeit the sum of six dollars for each meeting of the council, regular or special, which he shall fail to attend, and the same shall be deducted from his salary.

Sec. 3. That section 5 of an act approved March 24, 1891, entitled "An act to amend an act entitled 'An act in relation to municipal corporations', approved April 4, 1877, and to more particularly define

the powers and duties of cities of the first class," be and the same is hereby amended to read as follows:

Sec. 5. At the April election of each odd numbered year hereafter, there shall be elected in cities of the first class, a mayor, city treasurer, city attorney, city auditor, city clerk and city engineer, by a plurality of votes, who shall hold their offices for two years and until their successors are elected and qualified; each of said officers shall have such powers and perform such duties as are prescribed by this act, or by general law, or by ordinance of the city not inconsistent herewith. The city council shall also elect one police judge, who shall receive such salary as may be fixed by ordinance, in a sum not to exceed seventy-five dollars (\$75.) per month. The city clerk, city treasurer and city auditor shall each receive a salary of fifteen hundred dollars (\$1500.) per annum. The auditor shall audit and settle all claims against the city, payable out of the treasury; he shall draw all warrants provided by law; he shall keep a book in his office called a registry of warrants, in which shall be entered in regular order, date of issue, in whose favor, and upon what fund drawn, and the amount of all warrants drawn by him upon the city treasury; he shall express in the body of any warrant which may be drawn upon the treasury for money, the particular fund appropriated by law out of which the same is to be paid; and shall keep all accounts, vouchers and documents settled by him in his office, which shall be open to the inspection of the public at all reasonable hours, and shall have such other powers and duties not inconsistent herewith as may be prescribed by ordinance.

Elect officers.

Term of service.

Police judge.  
Salary.

Auditor draw warrants.

From what fund.

Books shall be open to the public.

Sec. 4. That section 12 of an act approved March 24, 1891, entitled "An act to amend an act entitled 'An act in relation to municipal corporations,' approved April 4, 1877, and to more particularly define the powers and duties of cities of the first class," be and the same is hereby amended to read as follows:

City attorney.

Shall advise  
council.

Salary.

Sec. 12. The city attorney in cities of the first class shall attend to all cases in any court in this state wherein the city shall be party plaintiff or defendant, or a party in interest. He shall attend all meetings of the council, and shall advise the city council or any committee thereof, when required, as to all legal questions that may arise before them. He shall advise the mayor, and through him, all other officers, in relation to their duties, and shall perform such other duties, not inconsistent herewith, as may be required of him by ordinance. He shall receive such salary as the council, by ordinance, may prescribe, not more, however, than one hundred and fifty dollars (\$150.) per month. The council may also, at any time, employ counsel to assist the city attorney, whose compensation shall be fixed by the council at the time of employment.

Sec. 5. That section 13 of an act approved March 24, 1891, entitled "An act to amend an act entitled 'An act in relation to municipal corporations,' approved April 4, 1877, and to more particularly define the powers and duties of cities of the first class," be and the same is hereby amended to read as follows:

Salary of chief of  
police.

Sec. 13. The chief of police shall receive such salary as may be fixed by ordinance, not to exceed the sum of one hundred and twenty-five dollars (\$125.) per month.

Approved April 19, 1895.

## CHAPTER 96.

## MUNICIPAL CORPORATIONS.

(S. B. 16, by Senator Blakey.)

## AN ACT

TO AMEND PARAGRAPH "EIGHTEENTH" OF SECTION 14, OF GENERAL SECTION 3312 OF CHAPTER CIX. OF THE GENERAL STATUTES OF THE STATE OF COLORADO, 1883, (BEING SECTION 4403 MILLS' ANNOTATED STATUTES) ENTITLED "AN ACT IN RELATION TO MUNICIPAL CORPORATIONS".

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That paragraph "eighteenth," of Section 14, of general section 3312 of Chapter CIX. of the General Statutes of the State of Colorado, 1883, (being Section 4403, Mills Annotated Statutes) entitled "An Act in relation to municipal corporations," be amended so as to read as follows:

Eighteenth—To have the right, subject to the laws of the State, to license, regulate or prohibit the selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquor within the limits of the city or town, or within one mile beyond the outer boundaries thereof, except where the boundaries of two cities or towns adjoin; the license not to extend beyond the municipal year in which it shall be granted, and to determine the amount to be paid for such license; Provided, That the city council in cities, or board of trustees in towns, may grant permits to druggists for the sale of liquor for medicinal, mechanical, sacramental and chemical purposes only, subject to forfeiture, and under such restrictions and regulations as may be provided by ordinance; Provided, further, That in granting licenses, such corporate authorities shall comply with whatever general law of the State may be in force relative to the granting of licenses, saloons, and keeping open sa-

Regulate or prohibit the sale of liquor.

Boundaries.

May grant permits to druggists.

Shall comply with general law of state.

Sundays.

loons, bar or tipping houses on Sunday, or the first day of the week.

Emergency.

Sec. 2. In the opinion of this General Assembly an emergency exists; therefore, this amendment shall be in force and take effect from and after its passage.

Approved March 23, 1895.

## CHAPTER 97.

### MUNICIPAL CORPORATIONS—SCALES.

(S. B. 132, by Senator Barcla.)

## AN ACT

TO AMEND SUBDIVISION TWENTY-FOUR OF SECTION FOURTEEN OF ARTICLE THREE, CHAPTER FIFTY-NINE, THE SAME BEING SUBDIVISION TWENTY-FOUR OF GENERAL SECTION THIRTY-THREE HUNDRED AND TWELVE OF THE GENERAL STATUTES OF THE STATE OF COLORADO, THE SAME BEING SUBDIVISION TWENTY-FOUR OF GENERAL SECTION FORTY-FOUR HUNDRED AND THREE OF MILLS' ANNOTATED STATUTES OF COLORADO, AND ENTITLED "AN ACT IN RELATION TO MUNICIPAL CORPORATIONS", APPROVED APRIL 4, 1877.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That subdivision No. 24 of Section 14 of Article 3, Chapter 59, the same being subdivision No. 24 of general section 3312 of the General Statutes of the State of Colorado, be and the same is hereby amended so as to read as follows:

Subdivision 24. To provide for and regulate public scales and to require the vendors of coal, hay and like articles of merchandise, when requested so to do by the purchaser of such articles, weigh the same upon the public scales before delivering the same to their customer or vendee.

Vendors weigh on public scales.

Approved April 29, 1895.



## CHAPTER 98.

## MUTE AND BLIND.

(H. B. 11, by Mr. Humphrey.)

## AN ACT

TO AMEND SECTIONS THREE (3) AND THIRTEEN (13) CHAPTER SEVENTY-SIX (76) OF THE GENERAL STATUTES OF 1883 ENTITLED "AN ACT TO CREATE AN INSTITUTE FOR THE EDUCATION OF THE MUTE AND BLIND, PROVIDE FOR ITS SUPPORT AND MANAGEMENT, AND REPEAL ALL LAWS FOR THE ORGANIZATION AND MAINTENANCE OF THE INSTITUTE FOR THE EDUCATION OF MUTES."

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That sections three (3) and thirteen (13) of chapter seventy-six (76) of the General Statutes of the State of Colorado be and the same are hereby amended to read as follows:

Sec. 3. Such institute shall be a body corporate under the name of "Colorado School for the Deaf and the Blind," and may sue and be sued, may take and hold real estate by gift, devise or otherwise, for the use and benefit of such school. Name.

Sec. 13. Every blind deaf or mute citizen of the State of Colorado, of sound mind, over six (6) and under twenty-one (21) years of age, shall be entitled to receive an education in said institute at the expense of the State. All applicants above the age of twenty one (21) years may be admitted at the option of the board. Each County Superintendent of common schools shall report on the first day of June in each year to the Superintendent of the school for the education of the deaf and the blind, the name, age and postoffice address of every blind or deaf person of suitable age, for admission to said school, residing in his County, including all such persons as may be too deaf or blind to acquire an education in the common school. Applicants for admission to said school Who entitled to receive.  
County superintendent of schools report.

Applicants from  
other states.

from other states, if within the ages prescribed by this section, may be admitted upon payment of such a sum quarterly, as the board of trustees of said school may determine.

Approved April 8, 1895.

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## CHAPTER 99.

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### PHARMACY—BOARD OF.

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(S. B. 188, by Senator Hartzell.)

## AN ACT

TO AMEND SECTIONS 10 AND 12 OF AN ACT APPROVED APRIL 17, 1893 ENTITLED "AN ACT IN RELATION TO THE PRACTICE OF PHARMACY AND THE SALE OF MEDICINES AND POISONS, LICENSING PERSONS TO CARRY ON SUCH PRACTICE, AND EXEMPTING THEM FROM JURY DUTY; PROVIDING FOR THE APPOINTMENT AND PRESCRIBING THE POWERS AND DUTIES OF A STATE BOARD OF PHARMACY; AND TO REPEAL AN ACT ENTITLED "AN ACT REGULATING THE PRACTICE OF PHARMACY; LICENSING PERSONS TO CARRY ON SUCH PRACTICE, AND EXEMPTING THEM FROM JURY DUTY; PROVIDING FOR THE APPOINTMENT, AND PRESCRIBING THE POWERS AND DUTIES OF A BOARD OF PHARMACISTS", APPROVED APRIL 2, 1887.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section ten (10) of an act, approved April 17, 1893, entitled "An act in relation to the practice of pharmacy and the sale of medicines and poisons, licensing persons to carry on such practice and exempting them from jury duty; providing for the appointment and prescribing the powers and duties of a State board of pharmacy; and to repeal an act entitled "An act regulating the practice of pharmacy; licensing persons to carry on such practice, and exempting them from jury duty; providing for the appointment, and prescribing the powers and duties of a board of pharmacists; approved April 2, 1887. Be and the same is hereby amended so as to read as follows:

Sec. 10. Any person who is not a registered pharmacist, in the meaning of this act, who shall keep a pharmacy, store or shop for the compounding and dispensing of physicians' prescriptions, and who shall not have in his employ in said pharmacy, store or shop, a registered pharmacist, in the meaning of this act, shall for each and every offense be liable to a fine of two hundred and fifty (\$250) dollars.

Only registered pharmacists retail or dispense drugs.

Fine for violation.

Sec. 2. That section twelve (12) of said act, be and the same is hereby amended so as to read as follows:

Sec. 12. Any proprietor of a pharmacy, or other person who shall permit the compounding and dispensing of physicians' prescriptions, or the vending of drugs, medicines or pharmacal preparations in his store or place of business, except by a registered pharmacist or assistant pharmacist, in the meaning of this act, or under the immediate supervision of one, or who, while continuing in the pursuit of pharmacy in the State of Colorado, shall fail or neglect to procure his annual registration, or any person who shall willfully make any false representations to procure for himself or for another, registration under this act, or who shall violate any other provision of this act, shall for each and every offense be liable to a fine of one hundred (\$100) dollars; provided, that nothing in this act shall interfere with the business of those merchants who keep on sale such poisons, acids and chemicals as are regularly used in agriculture, mining and the arts, when kept and sold for such purposes only, in seal and plainly labeled packages; provided, also, that nothing in this act shall in any manner interfere with the business of any physician in regular practice, nor prevent him from supplying to his patients such articles as may to him seem proper, nor with the marketing and vending of proprietary and patent medicines, nor with the exclusive wholesale business of any dealers, except as herein-after provided; provided, also, that nothing in this

Proprietor not permit compounding or dispensing except by registered pharmacists.

Shall procure annual registration.

Violation.  
Fine.

Merchants keep poisons, acids, etc., when labeled.

Physicians in regular practice.

Proprietary medicines.

Merchants in towns of less than five hundred.

act shall in any manner interfere with the business of merchants in towns having less than five hundred inhabitants (500) in which there is no licensed pharmacy, to sell or vend such medicines, compounds and chemicals as are required by the general public and in form and manner prescribed by the board of pharmacy.

Emergency.

Sec. 3. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 13, 1895.

## CHAPTER 100.

### POOR—COUNTY RECORD OF.

(H. B. 114, by Mr. Morrell.)

## AN ACT

PROVIDING FOR THE REGISTRATION OF THE COUNTY POOR, AND FOR THE KEEPING OF A RECORD OF THE NATURE AND AMOUNT OF RELIEF FURNISHED TO EACH; REGULATING THE ALLOWANCE AND PAYMENT OF BILLS THEREOF; AND PROVIDING A PENALTY FOR FAILURE TO COMPLY WITH THE TERMS OF THIS ACT.

*Be it enacted by the General Assembly of the State of Colorado:*

County clerk keep record.

Section 1. The county clerk of each county shall keep a book, to be entitled "Record of County Poor," which shall be so ruled as to conveniently show in separate columns the date of registration, name of person, age, sex, place of birth, date of immigration to the United States, date of immigration to Colorado, from what county in Colorado and the date of arrival in the county of record, cost of maintenance in the poor house, cost of maintenance in the hospital, cash furnished, other aid and a description and value of the same, total value of all aid, total time of maintenance, cause of poverty or distress, and remarks.

What contain.

Applicants to be registered.

Sec. 2. All applicants for relief as county poor shall, before any relief is furnished, be duly regis-

tered, either in person or by the county superintendent of the poor in the record above provided for, and no warrant shall be issued by any county clerk in payment of relief furnished to any applicant unless the person relieved is duly registered as above provided, and the amount and nature of such relief duly appears upon the record; but nothing herein contained shall be so construed as to prevent any county clerk from issuing one warrant for the aggregate amount of all payments due for or on account of all county poor who have been properly registered and recorded under the provisions of the preceding section.

Clerk issue one warrant for aggregate amount.

Sec. 3. It shall be the duty of every superintendent of the poor in any county of the state to render monthly to the board of county commissioners an itemized and sworn statement of his expenditures as such superintendent of the poor, which said statement shall be filed with the county clerk, and shall show the name of each and every person for or on whose account such expenditures have been made and the nature and cost of the relief furnished.

Superintendent render monthly statement.

Statement filed with the clerk.

Sec. 4. It shall further be the duty of the superintendent of the poor in each county to register, or cause to be registered, in the record aforesaid every applicant for relief as above provided for. Each and every account rendered by every superintendent of the poor in every county of this state shall have attached thereto a certificate that every person whose name is mentioned therein as having been furnished relief has been duly and properly registered as above provided. No account of the superintendent of the poor for relief shall be passed by the board of county commissioners, or warrants ordered to be issued in settlement therefor, unless such account is properly itemized, sworn to and has attached thereto the certificate above provided for; and voting in the affirmative by any county commissioner for the allowance of any such account, not so certified, itemized and

Register applicants for relief.

Superintendent attach certificate.

Itemized account sworn to.

Violation. sworn to, shall be considered a violation of the provisions of this act.

Misdemeanor. Sec. 5. Any violation of the provisions of this act shall be deemed a misdemeanor under the laws of this state, and all persons convicted of violating the

Fine and imprisonment. same shall be punished by a fine of not less than fifty nor more than three hundred dollars, or by imprisonment in the county jail not less than one nor more than six months, or by both such fine and imprisonment.

Approved April 9, 1895.

## CHAPTER 101.

### PUBLIC OFFICERS—TRUSTEES.

(S. B. 21, by Senator Reuter.)

## AN ACT

PREScribing PUNISHMENT FOR THE FAILURE OR NEGLECT OF PUBLIC OFFICERS, TRUSTEES AND EMPLOYES TO PERFORM THE DUTIES IMPOSED UPON THEM BY LAW OR ORDINANCE, AND FOR VIOLATING THEIR OFFICIAL OATHS.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. Every person elected or appointed to any office, or to any and every position of trust and employment under the laws of this state, or under any ordinance of any municipality in this state, who shall violate his oath of office or fail and neglect to perform the duties of his office as prescribed by law or ordinance, shall, upon conviction thereof upon indictment, or information, be fined in a sum not less than \$10 nor more than \$300 for each and every offense; and the court shall direct that the defendant shall be confined in the common jail of the county until such fine, together with the costs of the prosecution, be paid, not to exceed 30 days or until he shall have been discharged by due process of law.

Position of trust.

Violate oath of office.

Conviction.

Fine.

Confined in county jail.

Sec. 2. In the opinion of the General Assembly, <sup>Emergency.</sup> an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 8, 1895.

## CHAPTER 102.

### REPORTS OF OFFICERS—PRINTING.

(S. B. 380, by Senator Kennedy.)

## AN ACT

TO AMEND SECTION TWO OF "AN ACT TO AMEND SECTION TWO OF AN ACT ENTITLED 'AN ACT IN RELATION TO PUBLIC PRINTING' APPROVED APRIL 8, 1889, THE SAME BEING SECTION TWENTY-FIVE HUNDRED AND FIVE OF THE GENERAL STATUTES OF COLORADO, APPROVED APRIL 13, 1891.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section 2 of an act entitled "An act in relation to public printing", approved April 8, 1889, the same being Section 2505 of the General Statutes be and the same is hereby amended to read as follows:

Sec. 2. All officers required by any law of the state to make reports to the legislature, or the governor, shall deposit the same with the governor on or before the 15th. day of November next preceding the session of the General Assembly; and it shall be the duty of the Secretary of State to place said reports, without delay, in the hands of the person authorized to do the public printing for publication, and to superintend the printing of the same; and to see that it is done in a proper manner. Of each of the reports of all elective State officers there may be printed and published 1,000 copies, or less, and of all other reports 250 copies or less; Provided, That there shall be 500 copies each of the reports of the State superintendent of public instruction, and the State engineer; and Provided, farther, That no re-

All officers required to make reports to governor shall do so not later than 15 Nov. preceding session of legislature.

Secretary of state superintend printing of.

Number of copies printed.

No report except those of elective officers and state engineer shall exceed 100 pages.

Emergency.

port except those of elected State officers and State engineer shall exceed one hundred pages.

Sec. 3. Whereas, in the opinion of the General Assembly an emergency exists; therefore, this act shall be in force and take effect from and after its passage.

Approved April 19, '1895.

## CHAPTER 103.

### ROADS AND HIGHWAYS.

(H. B. 471, by Mr. Garcia.)

## AN ACT

CONCERNING ROADS AND HIGHWAYS AND REPEALING ALL ACTS AND PARTS OF ACTS INCONSISTENT THEREWITH.

*Be it enacted by the General Assembly of the State of Colorado:*

Divide into districts.

Amount to be expended in any district.

Road overseer.

Remuneration of.

Term.

Section 1. The board of county commissioners of the respective counties of the State may divide their counties into such suitable road districts as, in their judgment, will best subserve the interests of the people of the whole county; and said commissioners shall, fix by resolution, from time to time, the amount of money deemed necessary to be expended in any particular road district, but in no event shall the amount of money expended in any district be less than fifty (50) per centum of the road tax collected in said district and limit the road overseer of such district to the sum named in such resolution. In each district so formed there shall be appointed annually, by the board of County Commissioners, a road overseer of such district, who shall receive not to exceed three (3) dollars per day for each day's actual service, to be paid out of the general road fund of the county; and who shall hold his office for a period of one (1) year, or until his successor is duly qualified, unless sooner removed by the board of County Commissioners for reasons sat-



isfactory to themselves, who shall file with the County Clerk a sufficient bond, approved by the board of County Commissioners, for the faithful performance of his duties as such road overseer, and to secure payment of any money that he may receive under the provisions of this act.

Bond filed with  
county clerk.

Sec. 2. The board of County Commissioners of the respective counties of the State may levy a property tax for road purposes, which shall not exceed one dollar (\$1) on each one hundred dollars (\$100) to be levied and collected in the same manner and at the same time as other property taxes are levied and collected in each year.

Levy property tax  
for road purposes.

Sec. 3. Every able bodied man, between the ages of twenty one and forty five years, shall pay to the road overseer of his district a road tax of two (2) dollars, or in lieu thereof, perform two days work, of eight hours each, or eight hours work with team, on the public highways of his road district, under the direction of the road overseer; such road overseer shall, from time to time, by written notice, postage prepaid, and mailed at least ten (10) days previous to the time set for such work, notify persons required to pay poll tax, under this act, of time and place where work may be done. The road overseer shall pay all moneys received by him to the county treasurer, and shall be paid a commission of ten (10) per cent, collected by him, under the provisions of this section, said commissioner to be paid by the county treasurer out of moneys so collected by such road overseer, at the time they are paid into the county treasury; but no other pay shall be allowed for time spent in collecting such road tax; and when personal notice is required to be served on persons to work the roads, no more than one (1) day's pay shall in any event be allowed for serving notice on less than ten (10) persons, where such persons are found in two or more places, or any number of persons residing or found at the same place, each year. The commissioners, at the time of making such levy,

Road tax.

Work in lieu  
thereof.

Overseer notify  
persons to pay  
poll tax.

Shall be paid  
commission on  
collections.

Personal notice.

Proportionate amount of tax levied paid to city or town.

Said road taxes to be used for improving streets and alleys.

No other purpose.

Apportioned among the several districts.

Shall keep in repair.

Notice to perform work.

Proviso.

Refusal to pay or perform work.

Overseer report delinquents to board.

shall order such proportions of the tax levied upon property located in any city or incorporated town, as to the commissioners shall seem just and proper, shall be paid to the corporate authorities of such city or incorporated town, in the same manner and at the same time that city or town taxes are paid; which road taxes, so set apart and paid to such corporate authorities of such city or incorporated town, shall be used and expended by them, or under their supervision, for the sole purpose of improving the streets, alleys and public highways of such city or incorporated town, and for no other purpose whatever. The funds so collected, under the provisions of this section, except the part so set apart for the use and benefit of cities and incorporated towns, shall be apportioned by the commissioners among the several road districts of their respective counties, and the same shall be paid out only on the order of the board of County Commissioners.

Sec. 4. The road overseer shall keep the County roads and highways of their respective districts in repair and good condition for travel. The road overseer shall notify all persons in his district subject to road tax, between the first day of April and the first day of September, in each year, to appear at such time and place to perform the work required in lieu of road tax; Provided, Nothing in this section shall prevent the overseer from calling out any such persons to perform such work at any time when he shall consider the same needed.

Sec. 5. Any person subject to a road tax, after due notice has been given, and refusing or neglecting to pay the same, and failing to perform the work in lieu thereof, for a period of ten days after being notified, according to the provisions of the preceding section, shall be considered delinquent. It shall be the duty of the road overseer to report to the board of County Commissioners a list of all such delinquents in his road district. Every such delinquent shall be subject to a penalty of five dollars for such

delinquency; which penalty, together with the tax Penalty. added, shall be recoverable in a civil action by the county, as in other civil actions in any court of competent jurisdiction. Such penalty and tax, and every part thereof, collected upon any such judgment, shall Penalties collected. be paid into the county treasury and held as a special fund, to be expended by order of such board upon the How expended. public roads of the district where the delinquent was assessed, or upon any other road district in the county; all sums collected from the delinquents of such road district shall be separately indicated in the records of the treasury.

Sec. 6. All persons, corporations, companies and individuals are hereby required, on application of the road overseer of his, her or their road district, to furnish to said overseer the names of persons Furnish names. in his, her or their employment, who are liable to the payment of road tax, under the provisions of this chapter, and, in the event of a wilful refusal, failure Refusal. or neglect so to do within ten days after such demand in writing, shall forfeit and pay to the county the Forfeit. sum of one hundred dollars for such refusal, failure or neglect so to do, such sum to be recovered by said county as in other civil actions, brought or maintained in any court of competent jurisdiction; and when collected, such money shall be paid into the said Paid into special fund. special fund, to be used in the same manner as moneys collected in said judgments for tax.

Sec. 7. The road overseer shall report to the board of County Commissioners, at the regular Jan- Overseer report persons subject to tax. uary meeting of each year, and at such other times as the County Commissioners may require, a list of all persons in his district subject to road tax; the names of all persons who have performed the work in lieu thereof; the amount of money collected and Amount collected by him. paid out by him, from whom received, to whom and for what it was paid; the number of days he has been in actual service as road overseer, and the list of delinquents. And the compensation of the road Compensation withheld. overseer may be withheld until such report is made.

And no road overseer shall receive pay from the county for the use of his own team or teams unless the same are actually employed in work on the roads and highways of the county.

Saving clause.

Sec. 8. Provided, that nothing in this act shall be construed so as to affect any right already accrued to the State, or any county, city, town company, person or corporation, or any suit now pending under or by virtue of any act or part of an act hereby repealed.

Repeal.

Towns and cities not affected.

Sec. 9. Section Five of an act of the Eighth General Assembly, upon, the subject of roads and highways, approved April 13th, 1891. (Which said act was Senate Bill 174) is hereby repealed. But the provisions of this act shall not relate to persons residing within the corporate limits of cities and towns.

Sec. 10. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved April 19, 1895.

## CHAPTER 104.

### SCHOOLS.

(H. B. 94, by Mr. Rundle.)

## AN ACT

TO AMEND SECTIONS 15 AND 16 OF CHAPTER XCVII, ENTITLED "SCHOOLS," OF THE GENERAL STATUTES OF COLORADO (THE SAME BEING GENERAL SECTIONS THREE THOUSAND AND TEN AND THREE THOUSAND AND ELEVEN THEREOF), AND ACTS AMENDATORY THERETO.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section 15 of chapter XCVII, entitled, "Schools," of the General Statutes of Colorado (the same being general section 3010 thereof), and acts amendatory thereto, be and the same is hereby amended so as to read as follows:

Time fixed for examinations.

Sec 15 On the third friday in August, December and March in each year he shall meet all persons

of not less than eighteen years of age desirous of passing an examination as teachers, in some suitable room at the County-seat, notice of which shall be given in some newspaper in the county, or in case there is no paper published in the county, he shall give such notice as may by him be deemed necessary; at which time he shall examine all such applicants in orthography, reading, writing, arithmetic, English grammar, geography, history and constitution of the United States, civil government, physiology, natural sciences, theory and practice of teaching, and the School law of the State. If the applicant is to teach in a school of high grade, the examination shall extend to such additional branches of study as are to be pursued in such school. If satisfied of the competency to teach and of the good moral character of the applicant, he shall give such applicant a certificate as provided in the following section but he shall not issue a certificate except one of like grade unless the applicant be examined at the regular stated exammatimons he may however in case of emergency recognize county teachers certificates issued in this or other states by endorsing thereon the words "good" unill the next regular county examining, Provided That the certificate so endorsed shall be in full force at the date of such endorsement and shall not be renewed extended, nor show a previous endorsement thereon If the attendance upon the examination at the County-seat shall work a great hardship to one or more teachers in the County, the County Superentendent may provide for such teacher or teachers to take the examination at some convenient place and the County superentendent may appoint some suitable person to conduct such examination who shall without delay report to the County Superentendent the written answers of each applicant, such person shall be intitled to \$5 00 per day for conducting such examination and such services shall be certified by the County superentendent to the County commissioners.

Notice.

What examination shall consist of.

If applicant to teach in high grade school.

Grade of certificate.

Recognize certificates of other states.

Proviso.

If attendance work hardship.

Superintendent appoint examiner.

Compensation of examiner.

Sec 2. That section 16 of said chapter (the same being general section 3011 of the General statutes of Colorado and acts amendatory thereto, be and the same is hereby amended so as to read as follows

Certificates.

First grade valid for three years.

Second grade for eighteen months.

Third grade for nine months.

Teacher holding first grade certificate in another county.

May revoke certificate.

Violation of law.

Questions of superintendent of public instruction to be used in examinations.

Right of appeal by applicant.

Superintendent keep record.

Retain answers.

Sec 16 The Certificates issued by the County superentendent shall be of three grades, distinguished as first second and Third. The first grade certificate shall be valid for three years and may be renewed by the County superentendent of the County in which it was issued; the second grade certificate shall be valid for eighteen months the third grade certificate shall be valid for nine months Provided however That not more than two certificates of the same grade shall be issued to the same person. A county superentendent may upon the application of a teacher holding a first grade certificate received at a regular examination in an other county in the state and in full force at the time issue to said teacher a certificate of like grade; Provided. That such certificate shall not show the standing in each branch nor be subject to renewal but shall show the conditions upon which it is issued. And he may revoke certificates of any grade at any time, for immorality incompetency or other just cause. It shall be deemed a violation of law to grant certificates of any of the above grades, except one of like grade, without requiring the applicant to pass a thorough and satisfactory examination in such branches and at such times as are specified in section 15 of this act, and in all such examinations the questions prepared by the Superentendent of public instruction shall be used. In case a certificate is revoked or refused by the county superentendent, the right of appeal to the state board of education shall not be denied the teacher or applicant, if said appeal be taken within thirty days from date of notice of such revocation or refusal. The County Superentendent shall keep an official record in a suitable book of the persons so examined, containing the names age nativity date of examination and grade of certificate issued; he shall also retain for three months the written answers of all appli-

cants at the regular examinations and hold the same subject to the order of the state board of education Provided further That in a school district of the first class the examination may be conducted by the school board of such district in such manner and at such times as the board may determin, who shall have power to issue district certificates of the same grades and under the same conditions as are specified in section 15 and 16 of this chapter, Said certificates however shall be reported to the county superentendent, who shall keep a record of the same and shall be valid only in the district where issued, Such boards may however if they see fit issue certificates without examinations to high school teachers who hold satisfactory evidence of adequate training for the work they are to do

Districts of the first class.

School board issue certificates.

Valid only in district where issued.

Approved April 8, 1895.

## CHAPTER 105.

### STATE UNIVERSITY—REGENTS OF.

(H. B. 153, by Mr. Minor.)

## AN ACT

TO PLACE UNDER THE CONTROL OF THE REGENTS OF THE UNIVERSITY OF COLORADO THE FUNDS ACCRUED AND TO ACCRUE FROM THE SALE OR LEASING OF LANDS GRANTED BY CONGRESS TO SAID UNIVERSITY; TO REGULATE THE EXPENDITURE OF THE SAME; TO AMEND SECTIONS TWENTY FOUR (24) AND TWENTY FIVE (25) OF CHAPTER ONE HUNDRED AND TWELVE (112) OF THE GENERAL STATUTES, 1883, AND TO REPEAL ALL OTHER ACTS OR PARTS OF ACTS INCONSISTENT OR IN CONFLICT HEREWITH.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. All moneys which have heretofore arisen or may hereafter arise from the sale of public lands belonging to the University of Colorado, or from the leasing of lands belonging to the said university, or from interest arising on the investment of such funds, shall be and are hereby placed under the

Moneys from sale of lands.

From leasing of lands.

**Control of regents.** exclusive control of the regents of the said university, and the treasurer of the state of Colorado is hereby instructed to turn over to the said regents all the moneys, warrants, bonds and other securities, of any nature whatsoever, that have come from the sale of said public lands belonging to said university.

**Treasurer turn over to regents.**

Sec. 2. Section twenty four (24) of chapter one hundred and twelve (112) of the General Statutes of the state of Colorado is hereby amended to read as follows:

**Sale of lands.**

Sec. 24. None of the lands located as required in the preceding section of this act shall be sold except as may be provided by the General Assembly, and whenever the said lands are sold, the proceeds, of such sale, being for the whole or a part of said lands, shall be paid over to the regents by an order drawn by the president of the board, having been so authorized by the board of regents, upon the state treasurer, said order being first countersigned by the secretary of the university.

**Proceeds paid to regents.**

Sec. 3. Section twenty five (25) of chapter one hundred and twelve (112) of the General Statutes of the state of Colorado is hereby amended to read as follows:

**No funds loaned to president or regents.**

Sec. 25. No funds of the university shall ever be, directly or indirectly, loaned to the president or any of the regents, professors or other officers of the said university.

**Repeal.**

Sec. 4. All other acts or parts of acts inconsistent or in conflict herewith are hereby repealed.

**Emergency.**

Sec. 5. In the opinion of the General Assembly an emergency exists; therefore, this act shall take effect and be in force from and after its passage.

Approved April 23, 1895.



## CHAPTER 106.

## SUITS—LIMITATION.

(S. B. 17, by Senator Felker.)

## AN ACT

TO LIMIT THE TIME IN WHICH SUITS MAY BE BROUGHT UPON CAUSES OF ACTION ACCRUED OR JUDGMENTS OR DECREES RENDERED WITHOUT THIS STATE, AND TO REPEAL VARIOUS ACTS IN CONFLICT OR INCONSISTENT THEREWITH.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. It shall be lawful for any person against whom an action shall be commenced in any court of this State, wherein the cause of action accrued without this State, upon a contract or agreement expressed or implied, or upon a sealed instrument in writing, or upon a judgment or decree rendered in any court without this State, more than six years before the commencement of the action in this State, to plead the same in bar of the action in this State; provided, that if said judgment or decree rendered without this state be based upon a cause of action which had accrued more than six years prior to the commencement of the action on such judgment or decree in this State, and the said judgment or decree had been rendered without this State more than three months prior to the bringing of such action thereon in this State, it shall be lawful for any person against whom any action or such judgment or decree shall be brought, to plead the same in bar thereof; and

When cause of action accrued without state.

Plead same in bar of action in state.

Provided.

Judgment rendered without this state.

Provided further, that no defendant shall be allowed to plead the fact that the cause of action on which such judgment or decree was based accrued more than six (6) years, and that such judgment or decree was rendered without this State more than three (3) months before the commencement of

Defendant not allowed to plead.

Unless a bona  
fide resident.

said action thereon in this State, unless the defendant shall be a bona fide resident of this State.

Repeal.

Sec. 2. Section 16 of Chapter 60 of the general laws of 1877, concerning limitations; also, Section 1 of an act entitled "An act concerning limitations of actions in the courts of justice," approved February 14, 1879; also, Section No. 2178 of the General Statutes of the State of Colorado, the same being Section 16 of Chapter LXVI., and all other acts or parts of acts in conflict with this act, be and the same are hereby repealed.

Approved April 29, 1895.

## CHAPTER 107.

### TOWNS AND CITIES.

(S. B. 15, by Senator Sours.)

## AN ACT

TO AMEND SECTION ELEVEN (11) OF AN ACT ENTITLED "AN ACT TO PROVIDE FOR CONTIGUOUS TOWNS AND CITIES TO BECOME ANNEXED," APPROVED APRIL 11TH, 1893; AND ALSO TO AMEND SECTION 4 OF ARTICLE I OF AN ACT ENTITLED "AN ACT TO REVISE AND AMEND THE CHARTER OF THE CITY OF DENVER", APPROVED APRIL 3RD, 1893.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That Section Eleven (11) of an act entitled "An Act to provide for contiguous towns and cities to become annexed," approved April 11th, 1893, is hereby so amended as to read as follows, namely:

Issuing licenses to  
sell liquor.

Sec. 11. Whenever, in pursuance of this act, any town or city existing under general laws, is annexed to any city existing under a special charter, and at the time of such annexation an ordinance was in force prohibiting the issuing of licenses to sell or give away intoxicating or malt liquors in the town or city annexed, or in any part or parts thereof, or providing that such licenses shall not be issued except

upon payment of a minimum license fee, then such ordinance shall continue in full force and effect, notwithstanding such dissolution and annexation; Provided, that the city council of the city existing under a special charter may, on petition of one-fourth of the registered voters in the territory over which such ordinance extends, submit at a general city election, but not oftener than at every other such election, the question to the voters of such territory whether or not an ordinance shall be passed authorizing the issuing of such licenses under the city charter for such territory.

Licenses in effect.

Question of licenses to be submitted at general election.

The ballots cast at such election shall be printed "for licenses under the city charter" or "against licenses under the city charter", respectively, and shall be received and canvassed, and the result returned and declared, the same as ballots cast at said election for municipal officers; and if a majority of the voters so voting on the question vote "for licenses under the city charter," then the city council may provide for the issuing of such licenses in said territory or in said portion thereof, on the same terms and conditions as in other parts of the city existing under a special charter, otherwise not.

Ballots, how printed.

Canvassed.

It is intended by the foregoing provisions to continue in full force and effect all such ordinances of any town or city so dissolved or annexed, whereby such licenses are prohibited or regulated in said territory, or in such part or parts thereof, unless the voters of the territory so affected consent as above provided to the repeal of the same.

Ordinances to continue in force unless voters consent to repeal.

Whenever the issuing of licenses for any such territory or for any part thereof under the city charter as aforesaid, shall be duly authorized as provided in this section, then the city council of the city existing under a special charter shall nevertheless, upon the petition of one-fourth of the voters of the same territory, submit thereafter at any general city election, but not oftener than at every other such election, the question to the voters of such territory

Licenses authorized.

Petition.

City council  
submit question to  
vote.

Form of ballot.

Canvass of result.

City council  
provide for license.

No license issued.

whether or not such licenses shall be issued for such territory under the city charter aforesaid. The ballots cast at such election shall be "for licenses under the city charter", or "against licenses under the city charter", respectively, and shall be received and canvassed, and the result returned and declared the same as ballots cast at city elections for municipal officers; and if a majority of the voters so voting upon the question vote "for licenses under the city charter" aforesaid, then the city council aforesaid may provide for issuing such licenses under the city charter in such territory; but if a majority of the voters so voting upon the question vote "against licenses under the city charter", then no such licenses shall be issued for such territory.

Sec. 2. That section 4 of article 1 of an act entitled "An act to revise and amend the charter of the city of Denver", approved April 3, 1893, is hereby so amended as to read as follows, namely:

Ordinance in force  
prohibiting or  
regulating  
intoxicating  
liquors.

Continue.

Submit question at  
general election.

Sec. 4. Whenever, in pursuance of any act of this State, any town or city other than the city of Denver is incorporated with, or annexed to the city of Denver, and prior to such incorporation or annexation an ordinance of such town or city was in force prohibiting the issuing of licenses to sell or give away intoxicating or malt liquors in such town or city, or in any part or parts thereof, or providing that such licenses shall not be issued except upon payment of a minimum license fee, then such ordinance shall continue in full force and effect, notwithstanding such incorporation and annexation; Provided, That the city council of the city of Denver may, on petition of one-fourth of the registered voters of the territory over which such ordinance extends, submit at a general city election, but not oftener than at every other such election, the question to the voters of such territory whether or not an ordinance shall be passed authorizing the issuing of such licenses under the city charter for such territory.

The ballots cast at such election shall be printed Form of ballot.  
 "for licenses under the city charter", or "against licenses under the city charter," respectively, and shall be received and canvassed and the result thereof returned and declared the same as ballots cast at said election for municipal officers; and if a majority of the voters so voting on the question, vote "for licenses under the city charter", then the city council may provide for the issuing of such licenses in said territory, on the same terms and conditions as in other parts of the city of Denver. Canvass of result.

It is intended by the foregoing provision to continue in full force and effect all such ordinances of any town or city so incorporated with, or annexed to the city of Denver, whereby such licenses are prohibited or regulated in said territory, or in such parts thereof, unless the voters of the territory so affected consent as herein provided to the repeal of the same. Ordinances in force remain so, unless repealed by vote.

Whenever the issuing of such licenses for any such territory under the city charter shall be duly authorized as above provided, then the city council shall, nevertheless, on petition of one-fourth of the registered voters of the same territory, submit there- Question submitted upon petition.  
 after at any general city election, but not oftener than at every other such election, the question to the voters of such territory whether or not such licenses shall be issued in such territory under the city charter.

The ballots cast at such election shall be "for licenses under the city charter" or "against licenses under the city charter", respectively, and shall be received and canvassed, and the result thereof returned and declared the same as ballots cast at said election for municipal officers; and if a majority of the voters so voting upon the question vote "for licenses under the city charter", then the city council may provide for the issuing of such licenses under the city charter in said territory; but if a majority of the voters so voting upon the question vote "against licenses under the city charter," then no such license Form of ballot.  
Canvass of result.

under the city charter shall be issued for such territory.

Emergency.

Sec. 3. Whereas, in the opinion of the General Assembly an emergency exists; therefore, this act shall be in force and take effect from and after its passage.

Approved March 28, 1895.

## CHAPTER 108.

### TOWNS AND CITIES—ANNEXATION.

(S. B. 260, by Senator Sours.)

## AN ACT

TO AMEND CERTAIN SECTIONS, AND TO REPEAL CERTAIN OTHER SECTIONS OF AN ACT ENTITLED "AN ACT TO PROVIDE FOR CONTIGUOUS TOWNS AND CITIES TO BECOME ANNEXED", APPROVED APRIL 11, 1893; AND TO PROVIDE A LIMITATION OF CERTAIN ACTIONS AND PROCEEDINGS.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section 3 of an act entitled, "An act to provide for contiguous towns and cities to become annexed," approved April 11, 1893, is hereby so amended as to read as follows:

Duty of board of trustees to submit question of dissolution to vote.

Sec. 3. It shall be the duty of the board of trustees of such town, or the city council of such city, forthwith, by ordinance, and within a reasonable time, to be fixed by the court in said order, to submit the question of the dissolution of such town or city existing under general laws, and the annexation of the territory included therein, to the city existing under a special charter, to a vote of the qualified electors aforesaid; and if the order of the county court is served more than twenty-five days, and less than ninety days, prior to the next general election of such town or city, then to provide for the submission of the question to a vote at such general election; otherwise at a special election to be called and held

At a general or special election.

for that purpose, as hereinafter provided. The ordinance shall designate the time, place and judges of the election at each polling place giving representation on each board of judges, both to those favoring and to those opposing the proposition submitted, the judges favoring the proposition to be selected from lists of not less than three (3) persons qualified to vote on the proposition, to be furnished by a majority of those signing said petition; and shall also provide for the registration of voters qualified to vote under this act, or for permanent registration lists, for the use of the judges and clerks of election, as the case may be, in accordance with the general laws of this state relating to registration.

Ordinance  
designate time,  
etc.

Provide for  
registration.

Sec. 2. That section 5 of said act is hereby so amended as to read as follows:

Sec. 5. No ballot on the question submitted shall be received by the judges of election unless the person offering the same shall be a duly qualified and registered voter in the election precinct in which he offers to vote, and entitled to vote in such precinct at said election; and in addition thereto shall have, within one year next preceding said election, paid a property tax in said town or city; proof of the payment of such tax may be made either by the exhibition of a tax receipt, or a true copy thereof, signed by the county treasurer and ex-officio collector of taxes for said town or city, showing the payment of such tax, or by an affidavit of the voter and two house holders of the precinct, made before some officer authorized to administer oaths, showing the payment of such tax by the person offering to vote, as aforesaid; which affidavit shall be preserved and returned with the ballot box and papers of said election; Provided, That if a majority of the judges of election in any such precinct shall be fully satisfied, from their own knowledge or information, that the person so offering to vote has paid such tax for such preceding year, then no proof thereof shall be required.

Persons must be  
qualified to vote.

Persons not  
qualified.

No person shall be qualified to vote at any such election by reason of the payment of a tax which was assessed by the county treasurer, nor by reason of any tax paid upon property acquired by the voter after the filing of said petition; and the judges of election may examine any voter under oath as to his qualifications to vote at such election.

Judges examine  
under oath.

Ballots shall be  
numbered.

Every ballot cast for or against said proposition shall be numbered, and the number thereof placed opposite the name of the voter upon the poll books kept at said election, in a separate column prepared for that purpose, in the same manner substantially as required by law with respect to ballots cast for municipal officers at elections; but no vote of any elector shall be disclosed or made known except in case of proceedings to questions of validity of the vote cast at said election.

Sec. 3. That section 6 of said act is hereby so amended as to read as follows:

Form of ballot.

Sec. 6. All ballots cast in pursuance of this act shall be provided by the town or city clerk, in accordance with the provisions of an act entitled, "An act in relation to elections, defining offenses against the same and prescribing punishments therefor," approved March 26, 1891, so far as the same are applicable; shall contain the propositions "For annexation," and "Against annexation;" shall be deposited in a separate ballot-box, used for that purpose only; and shall be received and counted and the result thereof declared and returned, as provided by law concerning ballots for officers of such town or city.

Canvass of vote.

Sec. 4. That section 8 of said act is hereby so amended as to read as follows:

Clerk prepare a  
report.

Sec. 8. It shall be the duty of the clerk and recorder of such town, or the city clerk of such city, forthwith to prepare a report, which shall be signed by the mayor and attested by the clerk and recorder of such town, or the city clerk of such city, under the seal of such town or such city, containing a copy



of the ordinance under which the question was submitted, and of the record of the proceedings of the board of trustees or city council in ascertaining and declaring the result of such vote; and to file the same in the office of the clerk of the county court aforesaid. File in the county court.

The court shall examine the report and hear any objections and evidence that may be offered concerning the regularity or irregularity of the proceedings; Proceedings. and if the court shall find the proceedings irregular, the court shall disapprove said report, and order a new election, in accordance with the provisions of this act; but if the court shall find that the proceedings were substantially regular, the court shall approve the report. If a majority of the votes so cast are for annexation, then, from and after the approval of such report, such town or city, previously existing under general laws shall be dissolved, and the territory then included within the boundaries thereof shall be annexed to and become part of the city existing under a special charter. No appeals shall be from judgments of the County Court in such proceedings; No appeals from judgments. but writs of error to such judgments shall be as in other civil cases.

Whenever residence or the payment of taxes is required by law as a qualification to vote or to hold office in the city existing under a special charter, then residence and the payment of taxes in any territory so annexed shall constitute such qualifications to the same extent as if the same had been in the city existing under a special charter during the same period. Qualification to vote.

Sec. 5. That section 12 of said act is hereby so amended as to read as follows:

Sec. 12. The question of the dissolution and annexation of any such town or city, as above provided, may, upon similar notice, be submitted in the same manner to the same class of voters by the board of trustees or city council at a special election, called for that purpose only; and it shall be the duty of such board or council, upon the order of said court, and Question may be submitted at a special election.

within the time therein designated, to call and provide for such special election; but no such special election shall be held within ninety days next preceding any general election of such town or city. The ballots shall be received and counted and the result declared and returned in the same manner as in case of submission at a general election; and if at any election a majority of the votes so cast shall be "Against annexation," the question shall not again be submitted at any election held within one year thereafter. All special elections under this act shall be conducted in accordance with the general laws of this state regulating general elections in towns and cities, so far as the same are applicable; and all the laws of this state defining offenses at general elections shall apply to all elections held under this act. The judges and clerks of any election held under this act shall be officers of the county court; and any violation of this act, or of the orders of said court, by any person shall be held a contempt of said court, and punished accordingly.

Ballots, how counted.

Shall not be again submitted within one year.

Laws governing general elections shall apply to elections under this act.

Repeal.

Sec. 6. That sections 13, 14, 15, 16, 17, 18 and 19 of said act are hereby repealed.

Validity of proceedings shall not be questioned after ninety days.

Sec. 7. The validity of any proceeding to dissolve and annex any town or city by virtue of said act, or of this act, shall not be questioned in any action or proceeding commenced more than ninety days after such dissolution and annexation is effected.

Emergency.

Sec. 8. Whereas, in the opinion of the General Assembly an emergency exists; therefore, this act shall take effect, and be in force from and after its passage.

Approved April 11, 1895.

## CHAPTER 109.

### TOWNS AND CITIES—LICENSES.

(S. B. 200, by Senator Campbell.)

## AN ACT

TO RESTRAIN CITIES AND INCORPORATED TOWNS FROM REQUIRING LICENSE FROM PARTIES BRINGING FOOD PRODUCTS TO SUCH CITY OR TOWN WHEN GROWN OR RAISED BY THEMSELVES.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. It shall be unlawful for any city or incorporated town in the State of Colorado, whether incorporated under general law or special charter, to impose, by ordinance or otherwise, any license, assessment or other charge upon any person or persons bringing food products to such city or town for sale, either in bulk or by retail, from house to house;

Shall not license persons bringing food products for sale.

Provided, said food products were grown or raised by the person or person so having them for sale and are products of the State of Colorado.

Provided must be products of Colorado.

Approved April 17, 1895.

## CHAPTER 110.

## TOWNS AND CITIES—REFUND BONDED DEBT.

(Sub. H. B. 80, by Mr. Woodworth.)

## AN ACT

TO ENABLE TOWNS AND CITIES TO REFUND THEIR BONDED INDEBTEDNESS, CONTRACTED FOR THE SUPPLY OF WATER, AND TO REPEAL ALL OTHER ACTS RELATING THERETO.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. The city council of any city of the first or second class, and the board of trustees of any town, for the purpose of renewing or refunding bonds heretofore issued for the purpose of supplying water to such city or town, may issue bonds of the city or town, which shall run for a period of not less than fifteen (15) years, and may become optional after five (5) years; or for a period of not more than thirty (30) years, and may become optional after fifteen (15) years. Bonds issued by cities of the first and second class, having a population of ten thousand (10,000) or over shall carry interest at a rate not to exceed five (5) per centum per annum, payable in fifteen (15) years, and not to exceed four (4) per centum per annum for all issued for a longer period; refunding bonds issued by incorporated towns or cities of the second class of less than ten thousand (10,000) population shall carry interest at a rate not exceeding six (6) per centum per annum; interest on all bonds payable annually or semi-annually, and shall be signed by the mayor and clerk, or recorder of the city or town, and shall bear the seal of the city or town. Any bonds issued under the provisions of this act may be refunded by the issue of bonds in the manner provided herein, which shall be payable within a period of thirty (30) years from the time of the issue of the bonds so refunded.

Issue bonds.

Period not less than fifteen nor more than thirty years.

Interest.

Payable annually or semi-annually.

May be refunded.

Sec. 2. All such bonds shall be sold as directed by the city council or board of trustees of such city or town, and the proceeds thereof shall be applied only to the purposes for which the bonds were issued; but the same shall not be sold for less than par net to the town or city issuing the same. Not be sold for less than par net.

Sec. 3. When the bonds of any city or town shall have been issued under this act, an annual tax shall be levied and collected by the proper city, town and county authorities, sufficient to pay the interest on the said bonds as it shall become due; and a like annual tax, beginning not later than six (6) years from the time of the issue of such bonds, shall be so levied and collected, which shall be sufficient in the aggregate, with all the accumulations thereof, to pay the principal of such bonds within the time of the maturity thereof. Tax for interest.

Sec. 4. The terms "city council" and "board of trustees" shall respectively include the board or body of every city or town in which the corporate authority of such city or town shall be vested; and the term "mayor" shall include the chief executive magistrate of any city or town which has no mayor, and the terms "clerk and recorder" shall include the officer of any city or town which has no clerk or recorder, whose duties most nearly correspond to the duties of clerk and recorder, respectively, of cities and towns incorporated under the provisions of General Laws; Provided, That this section shall not apply to any cities except cities of the first class and second class. Explanation of terms.

Sec. 5. All acts and parts of acts inconsistent herewith are hereby repealed.

Sec. 6. Whereas, an emergency exists; therefore, this act shall be in force from and after its passage. Emergency.

Approved March 25, 1895.

## CHAPTER 111.

## TRAIN WRECKING.

(H. B. 218, by Mr. Humphrey.)

## AN ACT

TO PROVIDE FOR THE PUNISHMENT OF TRAIN WRECKING AND TRAIN ROBBING; AND TO REPEAL GENERAL SECTIONS NINE HUNDRED AND SEVEN (907) AND NINE HUNDRED AND EIGHT (908) OF THE GENERAL STATUTES OF 1883.

*Be it enacted by the General Assembly of the State of Colorado:*

Obstructions.	Section 1. Any person or persons who shall willfully and maliciously throw out a switch, remove or in any manner loosen a rail, or place any obstruction on any railroad or tramway track operated in the State of Colorado, with the intention of derailing any passenger, freight or other train, or who shall willfully board any passenger, freight or other train with the intention of robbing same, or who shall willfully place any dynamite or other explosive material or any other obstruction on the track of any railroad in the State of Colorado, with the intention of blowing up or derailing any passenger, freight or other train, or shall willfully set fire to any railroad bridge or trestle over which any passenger, freight or other train must pass, with the intent of wrecking said train, upon conviction, shall be adjudged guilty of felony and shall be punished by imprisonment in the State penitentiary for a term of not less than ten years and it may be extended to life imprisonment.
Board train with intent.	
Explosives.	
Bridge or trestle.	
Felony.	
Imprisonment.	

Repeal.	Sec. 2. Sections nine hundred and seven (907) and nine hundred and eight (908) of the General Statutes of the State of Colorado are hereby repealed.
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Emergency.	Sec. 3. Whereas, In the opinion of the General Assembly an emergency exists; therefore, and this act shall take effect and be in force from and after its passage.
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Approved April 8, 1895.

## CHAPTER 112.

## WILLS.

(S. B. 276, by Senator Reuter.)

## AN ACT

TO AMEND SECTION 1 OF AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED AN ACT IN RELATION TO THE ADMINISTRATION OF THE ESTATES OF DECEASED PERSONS, AND TO AMEND CERTAIN SECTIONS OF CHAPTER 114 (115) OF THE GENERAL STATUTES OF THE STATE OF COLORADO, ENTITLED 'WILLS,' APPROVED APRIL 9, 1885," APPROVED FEBRUARY 28, 1889.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That section 1 of an act entitled "An act to amend an act entitled, 'An act in relation to the administration of the estates of deceased persons, and to amend certain sections of chapter 114 (115) of the General Statutes of the state of Colorado, entitled 'Wills,' approved April 9, 1885,'" approved February 28, 1889, is hereby amended to read as follows:

Sec. 1. That section 8 of an act entitled "An act in relation to the administration of the estates of deceased persons, and to amend certain sections of chapter 114 of the General Statutes of the state of Colorado (115) entitled 'Wills,' approved April 9, 1885," is hereby amended to read as follows:

Sec. 8. No mortgage, deed of trust or other security, real or personal, securing the payment of claims against the estates of deceased persons, shall be foreclosed within one year from the death of the debtor, except upon order of court, as hereinafter provided. (a) If no letters testamentary or of administration issue, within one year from the death of the debtor, upon such estate from the county court of the county wherein the whole or any part of such real or personal property is situate, such mortgage, deed of trust, or other security may be foreclosed in the

Holdings of mortgages cannot foreclose until expiration of one year from death of debtor.

If letters  
testamentary  
issue.

No mortgage shall  
be foreclosed  
otherwise than by  
suit in court.

Proviso.

same manner and with the same effect as if such debtor were living. (b.) If letters testamentary or of administration issue, within one year from the death of the debtor, upon such estate from the county court wherein the whole or any part of such real or personal property is situate, no such mortgage, deed of trust or other security shall be foreclosed, otherwise than by suit in court, unless the claim secured shall first be proved and allowed by such county court; and when such claim shall be so proved and allowed, such county court may order a foreclosure of the mortgage, deed of trust or other security within one year from the death of the debtor. (c.) The lien of the mortgage, trust deed or other security affected by this act shall not be impaired by the suspension of the remedy herein provided for.

Approved April 8, 1895.

## CHAPTER 113.

### WILLS.

(S. B. 275, by Senator Reuter.)

## AN ACT

TO AMEND AN ACT ENTITLED "AN ACT TO AMEND SECTION TWENTY-SEVEN (27) OF CHAPTER NINETY-FIVE (95) OF THE GENERAL STATUTES OF THE STATE OF COLORADO, ENTITLED 'WILLS', THE SAME BEING GENERAL SECTION THIRTY-FIVE HUNDRED AND SEVEN," APPROVED FEBRUARY 28, 1889.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. That the act entitled "An act to amend section 27 of chapter 94 of the General Statutes of the State of Colorado, entitled "Wills," the same being General Section 3507" Approved February 28, 1889, be amended to read as follows: Section 1. That section twenty-seven of Chapter CXV of the General Statutes of the State of Colorado, entitled "Wills" the same being general section thirty-



five hundred and seven, is hereby Amended to read as follows: "Section 27." Where any last Will, testament or codicil of or concerning real estate in this State hath been or shall be admitted to probate before any Court or tribunal of any State or territory of the United States, or of any country beyond the limits of the United States, Such court or tribunal being authorized by the laws of such State, territory or country to admit the same to probate the record of such court or tribunal in the matter, accompanied with a certificate of the proper officer or officers, that said Will, testament or codicil, or copy thereof, Was proven agreeable to the laws and usage of the State territory or Country in which the same was admitted to probate, shall entitle such Will, testament or codicil to probate and record, Without further proof of the execution thereof, and without notice to the heirs, Widow or husband of such testator or testatrix; And letters testamentary or of administration may issue thereon as in other cases.

Last will or testament concerning real estate.

Admitted to probate.

Court authorized by law to admit to probate.

Proven agreeable to laws.

Shall entitle will to probate without further proof.

Approved April 13, 1895.

## CHAPTER 114.

### WORLD'S FAIR—PARIS.

(S. B. 294, by Senator Reuter.)

## AN ACT

TO PROVIDE FOR THE APPOINTMENT OF COMMISSIONERS OF THE STATE OF COLORADO TO THE WORLD'S FAIR, TO BE HELD IN THE CITY OF PARIS IN THE REPUBLIC OF FRANCE, IN THE YEAR NINETEEN HUNDRED.

*Be it enacted by the General Assembly of the State of Colorado:*

Section 1. The governor is hereby authorized and directed to appoint three commissioners, who shall be citizens of the State of Colorado, to represent the State of Colorado at the World's Fair, to be held in the City of Paris, in the Republic of France, in the year of our Lord nineteen hundred.

Governor appoint three commissioners.

**Duties of.**

Sec. 2. It shall be the duty of said commissioners to make such suggestions for the proper presentation of the interests of the State of Colorado, at said World's Fair, to the next General Assembly of the State of Colorado, as they may think will further the interests of the State of Colorado.

**Vacancy.**

Sec. 3. No more than two of said commissioners shall be of the same political party; in case a vacancy occurs it shall be filled by appointment by the governor.

**No compensation.**

Sec. 4. Said commissioners shall receive no compensation, either for services rendered, or expenses incurred in the exercise of their duties, unless specially provided for by law.

**Emergency.**

Sec. 5. Whereas in the opinion of the General Assembly, an emergency exists; therefore, this act shall be in force and take effect from and after its passage.

Approved April 8, 1895.

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